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LABOR AND NATIONAL SECURITY; AN ANALYSIS OF TRIPARTITISM AS EXEMPLIFIED BY LABOR PROBLEMS AT U. S. MISSILE BASES

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LIEUTENANT CHARLES T. WELLS, U. S. NAVY

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LABOR AND NATIONAL SECURITY: AN ANALYSIS OF TRIPARTITISM AS EXEMPLIFIED BY LABOR PROBLEMS AT U.S. MISSILE BASES

A Professional Paper

Submitted to the Faculty

Of the Graduate School of the University of Louisville

In Partial Fulfillment of the

Requirements for the Degree of

Master of Business Administration

School of Business

By

Lieutenant Charles T. Wells, U.S. Navy

Year

1963

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TITLE OF THESIS:

LABOR AND NATIONAL SECURITY: AN ANALYSIS OF TRIPARTITISM AS EXEMPLIFIED BY LABOR PROBLEMS AT U.S. MISSILE BASES

APPROVED BY THE READING COMMITTEE

COMPOSED OF THE FOLLOWING MEMBERS:

THE OPINIONS OR ASSERTIONS CONTAINED IN THIS STUDY ARE THE PERSONAL ONES OF THE AUTHOR AND ARE NOT TO BE CONSTRUED AS OFFICIAL OR AS REFLECTING THE VIEWS OF THE NAVY DEPARTMENT, THE NAVAL SERVICE, OR OF ANY FEDERAL AGENCY OR COMMISSION

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PREFACE

This study is an analysis of issues concerning Federal Government intervention as a third-party to labor disputes, and an examination of the particular problem of labor strife at U. S. missile bases. The thesis set forth is that tripartite action in labor relations is indispensable due to the potentially serious, detrimental effects that labor disputes may have upon national security. This thesis is based on the premise that the interests of the general public take precedence over individual desires or choice of alternatives in labor-management relations.

Chapter I details the provenance of tripartite adjudication as related to national security, and clarifies the overall problem as one of determining the need for Government intervention in specific situations.

Chapter II provides an orientation to the United States missile program in order to illustrate the setting in which labor problems affecting national security may occur.

Chapter III focuses upon particular labor problems in the missile-site construction program, and develops through a discussion and analysis of the factual record, the acute nature of missile-site labor disputes seriously threatening

This study is an analysis of issues concerning federal government intervention as a third-party in labor disputes, and an examination of the particular problem of labor strife at U. S. missile bases. The thesis set forth is that employing action in labor relations is indispensable due to the potentially serious, nationwide effects that labor disputes may have upon national security. This thesis is based on the premise that the interests of the general public take precedence over individual desires or choice of alternatives in labor-management relations.

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national security. Areas of conflict between Labor and Management are clarified. The question is posed as to how these threats to national security could best be removed. Government action is deemed appropriate.

Chapter IV explores the general issue surrounding Federal Government intervention. This involves an interrelation of factors affecting both private and public interests, and the reaction of Labor, Management, and public authorities to alternative policies whereby the ideals of free enterprise society might be preserved.

Chapter V analyzes the form of resolution chosen by the Federal Government in order that missile-site labor disputes not threaten further the health and safety of the nation. Tripartitism in the ameliorative techniques employed by the Missile Sites Labor Commission is proven to be an effective means of attending to labor troubles at missile bases. Consequently, as a result of extensive tripartite action, threats to national security are removed.

It is concluded that Federal Government intervention as a third-party to labor disputes should reflect, in instances where threats to national security are imposed by irresponsible actions of Labor and Management, similar processes of tripartite action.

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It is concluded that Federal Government intervention as a third-party to labor disputes should prevail, in instances where threats to national security are imposed by irresponsible actions of labor and management, similar processes of tripartite action.

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CHAPTER I

HISTORICAL REVIEW OF LABOR PROBLEMS AFFECTING NATIONAL SECURITY

Introduction

This chapter discusses the history of defense industry labor problems in three phases: (1) World War I labor disputes and adjustment agencies; (2) World War II labor disputes and functions of the National War Labor Board; and (3) Labor problems affecting national defense since 1945.

This historical review serves two purposes. First, the discussion sets forth background information regarding the effect that labor dispute problems have had upon defense industrial production. These problems have occurred during wartime periods and under cold-war peacetime conditions. Labor problems affecting national defense industries are thus not a recent phenomena. This country has wrestled with the problem for some time. In the abstract, the setting is complicated. It involves analyses regarding social aspects, politics, law, public opinion, and economics as well as factors of necessity relating to national survival; also involved is the perpetuation of American tradition as expressed in the concepts of Freedom, Liberty, and Individual Worthiness. The nation desires to preserve these concepts and further them in the interests of an international community of free peoples. In order that this goal may be attained it is imperative that

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the United States be strong militarily. Military power can be sustained only on a strong industrial and economic base. The U. S. economy thrives on increased industrial production and additional potential for further increases. Improvements in technology and in human relations provide support for a growing, strengthened economy. Technological improvements have provided immeasurable benefits for our society. New scientific discoveries and technological developments have enabled the establishment of an immediate industrial potential in the United States that is the strongest in the history of the world. The record of coordination in human activity achieved in the United States, making possible the activation of industrial potential as expressed in the employment of men, machines, materials, and money, is one of great achievement.

However, as a practical matter aside from the abstract, there are problems of operation, of organization, of direction, of coordination, and of technique in the activity of employing human resources to achieve economic and industrial means. Specifically, this involves alleged conflicts of interest among three areas of society: Labor, Management, and the Federal Government with its responsibility for action in the public interest. The Federal Government is assumed to encompass Labor and Management within its framework of protection built up in the interests of society. Thus, a historical review of

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labor problems in defense industries punctuates the problem of aligning national public interests with those of Labor and Management.

The second purpose of this historical review is to show clearly that Federal Government intervention in labor disputes is nothing new. Government intervention has occurred in this modern age as early as the World War I period. In this respect, it should be understood that different criteria for Government action exist in time of war than during peacetime. In wartime, successful prosecution of the war is the main standard for action. In peacetime, some clarification is in order as to what constitutes critical industrial activity vital to national defense. Generally the Federal Government has intervened in defense industry labor disputes only when it considered that inaction would have caused more harm to the country's defense posture than the actions of intervention.

Specific labor problems affecting defense industries should be detailed in conjunction with the intervening efforts of the Federal Government in promoting the national welfare. It is intended that the ensuing discussion will convey an appreciation for certain factual information regarding defense industry labor problems and the record of Federal Government intervention.

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World War I Labor Disputes and Adjustment Agencies

The World War I period was a significant one for the labor movement in the United States and for Federal Government participation in Labor-Management relations. Certain characteristics of this period are important in understanding the historical relationship between Labor, Management, and Government. Industrial unrest manifested in conflicts between unions and employers had developed during the few years previous to the War. In an authoritative account of the factors of unrest, Bing[1] details "the most important causes of strife" as comprising "inadequate wages, long hours, and opposition to collective bargaining and unionism." The Commission on Industrial Relations was established by the Federal Government to study labor relations in American Industry. On the whole, the Commission's report was favorable toward unionism. As a result, the United States Department of Labor was established "to study labor problems and represent the cause of wage-earners."[2] The Clayton Act was subsequently passed which seemed

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[1]Alexander M. Bing, Wartime Strikes and Their Settlement (New York: E. P. Dutton Company, 1921), p. 2.

[2]Carroll R. Daugherty, Labor Problems in American Industry (Boston: Houghton Mifflin Company, 1941), p. 335.

World War I Labor Disputes and Management Attitudes

The World War I period was a formidable one for the labor movement in the United States and for Federal Government participation in labor-management relations. Certain dominant features of this period are important in understanding the historical relationship between labor, management, and government. Industrial unrest manifested in conflicts between unions and employers had developed during the two years preceding the war. In an authoritative account of the history of unions, Stolz[1] portrays "the union impulse reached its climax in conflicts, industrial wages, long hours, and opposition to collective bargaining and unionism." The industrial relations in shipbuilding and munitions." The industrial relations in shipbuilding was established by the Federal Government to study labor relations in American industry. In the whole, the Commission's report was favorable toward unionism. As a result, the United States Department of Labor was established "to study labor problems and represent the needs of wage-earners."[2] The Clayton Act was subsequently passed which exempt

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[1]Jerome H. Stolz, Unions Policies and Their Relations (New York: E. P. Dutton Company, 1921), p. 1.

[2]Carroll E. Daugherty, Labor Problems in American Industry (Boston: Houghton Mifflin Company, 1941), p. 311.

to make certain union activities legal,[3] exempting those activities from prosecution under the anti-trust laws.[4]

Labor's cause was advanced further in 1916 when Congress passed the Adamson Act. This Act "provided for the establishment of a legal eight-hour day for workers engaged in operating trains in interstate commerce and for the appointment of a presidential commission to study the results of the adoption of the eight-hour day."[5]

Organized labor at this time was the strongest it had ever been. It had won what was considered "official recognition of its role in the national economy."[6]

A variety of problems was encountered when the United States entered the World War. Stein and Davis[7] review the characteristics of this period and detail the nature of industrial labor problems upon which attention was focused. In part, and significant for this study, it is appropriate to note certain of these characteristics:

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[3]Ibid.

[4]Foster Rhea Dulles, Labor in America (2d ed. rev.; New York: Thomas Y. Crowell Company, 1960), p. 224.

[5]Emanuel Stein and Jerome Davis (ed.), Labor Problems in America (New York: Farrar and Rinehart, Inc.,1940), p. 190.

[6]Dulles, loc. cit.

[7]Stein and Davis, op. cit., pp. 188-209.

to make contracts using anti-trust laws[1] managing large activities also prosecution under the anti-trust laws.[2]

Lever's cause was advanced further in 1919 when Congress passed the Clayton Act. This act "provided for the establishment of a legal sight-line map for various subjects to operating units in individual companies and for the development of a psychological consideration to study the results of the operations of the sight-line map."[3]

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[3]Samuel Yoder and Jerome Davis (ed.), Labor Problems in Industry (New York: Harper and Brothers, Inc., 1940), p. 439.

[4]Collins, loc. cit.

[5]Davis and Davis, op. cit., pp. 183-187.

> The lack of organization in labor supply, its immobility, the necessity for adjustment to the demand for both skilled and unskilled workers in certain industries such as shipbuilding and munitions, the striking sectional and industrial variations in wages, the great increase in labor turnover, a decrease in labor efficiency, the tendency on the part of employers to ignore the legal safeguards for labor, the increase in labor unrest--these were only some of the many problems that had to be solved. When the United States entered the War, it lacked both an adequate, unified labor policy and a centralized, co-ordinated administrative machinery for dealing with labor problems.[8]

This focuses attention on the fact that prior to World War I, the Federal Government had no effective agency mechanism with which to aid the organization, coordination, and direction of labor-management relations. The war effort demanded that immediate action be taken in order that productive capacity could be expanded. This could be accomplished only if labor disputes in industries affecting national defense were resolved.

Federal control over private industry was exercised when President Wilson took over the operation of all railroads. Congress had authorized this ostensibly "to overcome difficulties growing out of conflicts of ownership and competitive aspirations of various systems;"[9] however, a threatened general strike on

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[8]Stein and Davis, loc. cit., p. 194.

[9]Merle Fainsod, Lincoln Gordon, and Joseph C. Palamountain, Jr., Government and the American Economy (3d ed.; New York: W. W. Norton and Company, Inc., 1959), p. 267.

> The lack of regularities in labor supply, its inelasticity, the necessity for adjustment to the demand for both skilled and unskilled workers in certain industries such as agriculture and mining, the existing sectional and industrial variations in wages, the great increase in labor turnover, a decrease in labor efficiency, the tendency on the part of employers to ignore the legal responsibilities for labor, the increase in labor controversies were only some of the many problems that had to be solved. When the United States entered the war, it lacked both an adequate, unified labor policy and a centralized, co-ordinated administrative machinery for dealing with labor problems.[5]

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[5]Lewis and Lewis, loc. cit., p. 12.

[6]Harold Pfaudzer, Alfredo Cocchi, and Joseph C. Palamountain, Labor Relations and the Collective Bargaining Agreement (2d ed.; New York: R. R. Bowker and Company, Inc., [1957]), p. 187.

the railroads was the underlying problem. This helped set the stage for Federal Government intervention as a third-party to labor disputes, which became an important, integral principle of dealing with labor problems affecting defense industries during the war.

Fifteen major Government agencies functioned to adjust labor disputes during World War I. Three important principles guided these adjustment agencies in their relations with Management and Labor.[10] The avoidance of strikes and lockouts was the first and foremost consideration of these agencies. Although strikes did actually occur, no substantial harm to production of war materials resulted.

The second principle was "recognition of the right of workers to organize into unions and to be free from discriminatory practices against union membership."

The third principle provided for equal representation of Management and Labor on the various labor boards. The boards functioned mainly through the conduct of hearings and recommendations resulting from such hearings.

It is important to note the two agencies which headed Government activity in labor relations. First, the National War Labor Board operated as the "supreme court" in adjusting

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[10]U. S. Senate, Strikes in Defense Industries. Senate Document No. 52, 77th Cong., 1st Sess., 1941, p. 166.

the railroad and the nationwide problem. With failure by the state (or federal government) intervention as a disinterested to labor disputes, which means no injunction, imposed principle of dealing with labor problems affecting national industries during the war.

Without major governmental agencies intervening in minor labor disputes during World War I. These independent principle guided their subordinate agencies in their relations with management and labor.[10] The standards of living and livelihood was the first and foremost consideration of these agencies. Although setting the actually order, the substantial aim of production of war materials remained.

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10. E. Wanner, Studies in Canada Industrial Relations. Labor Research No. 32, 27th Congr., 1st Sess., 1941, p. 165.

wartime labor controversies. Secondly, the War Labor Policies Board served as a "clearing house" for labor disputes. This board was not directly involved in adjustment action; it coordinated the activities of the other agencies.

The nature of labor disputes during the war may be clarified by examining the separate attitudes of employers and employees. Bing contrasts the attitudes of employer associations with the position taken generally by individual employers in dealing with their own employees.[11] When acting collectively, employers through their associations took rather liberal views regarding Labor. Management voiced good intentions to cooperate with employees and with the Government regarding labor policy. But the attitude actually taken by employers in administering labor relations programs was not liberal. Management unwillingness to deal with unions on a practical basis seriously hampered the administration of labor-management relations. As an example, Bing supplies the following accounts of employer non-cooperation:

> Even with the war at its height the Lake Carriers' Association would not attend a meeting of the Shipping Board, at which employers from all over the country were present, because representatives of the Seamen's Union attended. The

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[11]Bing, op. cit., p. 225.

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The causes of labor disputes during the war may be clarified by considering the separate attitudes of employees and employers. Also concerning the activities of employer associations with the position taken generally by industrial employers in dealing with their own employees.[11] When dealing collectively, employers through their associations took rather liberal views regarding labor. Nevertheless without great inclinations to cooperate with employer and with the Government regarding labor policy. But the attitude actually taken by employers in administering labor relations practices was not liberal. Management unwillingness to deal with unions on a practical basis certainly hampered the administration of labor-management relations. As an example, Ziegl supplies the following excerpts of employer correspondence:

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[11]Ziegl, op. cit., p. 127.

> reason for this refusal was the claim that to sit in the same room with union representatives would constitute recognition. In New York the boat owners would not accept the Government's plan of local adjustment agencies because this involved a board on which a representative of the Longshoremen's Union would be a member; a special board had to be created with no representation of either employer or employee.
>
> The Western Union Telegraph Company preferred to have the Government take over the wires rather than tolerate union membership among its employees, and this same position was taken by the Smith and Wesson Company . . . .[12]

The foregoing situations highlight the fact that employer cooperation was lacking in several instances and that Government intervention became necessary in order to promote the war effort.

The outstanding World War I case in which employer obstinance resulted in forceful action by the Federal Government was that of the Smith and Wesson Company controversy.[13] This occurred at Springfield, Massachusetts during the summer of 1918. The issue revolved around the principle of collective bargaining. The facts were that the Springfield plant was manufacturing pistols for the War Department; the company had been operating for years with a closed non-union shop; the employees demanded that they be permitted to organize with the Machinists Union; the company refused to bargain and discharged various employees whom the company thought were active unionists.

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[12] Ibid., p. 226.

[13] U. S. Senate, op. cit., p. 172.

cases for this period was the claim that to [illegible] in the same year with union representatives, until conditions improved. In New York the year earlier would not accept the Government's plan to local affiliated companies because this involved a board on which a representative of the Inter-Ministerial Committee would be a member; a special board had to be created with no representative of either employer or employee.

The Eastern Union Telegraph Company protested to have the Government take over the sixty orders also underwriting among the employees and this was positive was taken at the date the Union Company . . . [illegible]

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[11]Ibid., p. 324.

[12]. H. Evans, op. cit., p. 172.

Company refusal to bargain collectively resulted in a strike by about half the work force at the Springfield plant. The dispute was referred to the National War Labor Board which held in favor of the employees and ordered the company to accept the Board's decision, and as a result, the Federal Government "took over the company's plant under the commandeering power of the National Defense Act (Sec. 120)".[15]

Organized Labor, too, had to concede to the authority of the Federal Government. The outstanding case involved a series of strikes at Bridgeport, Connecticut, an important munitions manufacturing center during World War I. Bing states that the industrial strife at Bridgeport stemmed from "bad pre-war industrial relations."[16] The main issue in the Bridgeport disputes concerned wages.[17] Bridgeport machinists went out on strike in defiance of a decision rendered by the National War Labor Board. The strike ended when President Wilson "wrote the machinists threatening to draft them if they did not go back to work. This ended the strike."[18]

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[15]U. S. Senate, loc. cit.

[16]Bing, op. cit., p. 73.

[17]Ibid., pp. 73-81.

[18]U. S. Senate, op. cit., pp. 172-173.

company refused to bargain collectively resulted in a strike by about half the work force of the Springfield plant. The dispute was referred to the National War Labor Board which held in favor of the employees and ordered the company to accept the Board's decision, and as a result, the federal government "took over the company's plant under the commandeering power of the National Defense Act (Sec. 120)".[14]

Organized labor, too, had to concede to the authority of the Federal Government. The contending sides involved a series of strikes in Bridgeport, Connecticut, an important munitions manufacturing center during World War I. Bing states that the industrial strife at Bridgeport stemmed from "bad pre-war industrial relations."[15] The main issue in the Bridgeport disputes concerned wages.[17] Bridgeport mediators were not so active in deference to a decision rendered by the National War Labor Board. The strike ended when President Wilson "ordered the mediators threatening to draft them if they did not go back to work. This ended the strike."[18]

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[14]G. E. Bennett, loc. cit.

[15]Ibid., op. cit., p. 73.

[17]Ibid., pp. 73-81.

[18]G. E. Bennett, op. cit., pp. 172-173.

How did Management and Labor feel regarding Government labor administration? Among employers, opinion was divided. Employer feelings varied according to previous relations with employees, attitudes toward organized labor in general, and upon employer opinion as to whether a strike could be defeated. In general, Management evidenced a distrust toward Government labor administration, feeling that Labor was being favored by the Government for political reasons.[19]

Labor's attitudes toward Government intervention generally were cordial and favored Government action; although in some instances, as illustrated by the Bridgeport disputes, Labor believed that "the Government was catering to big business."[2

Two conclusions may be drawn from the actions of Government intervention and the attitudes of Management and Labor as have been detailed. First, Government action in the Smith and Wesson and Bridgeport cases served to make clear to Management and Labor alike that the Federal Government's power would definitely be wielded in order that effective conduct of the War could be pursued. Secondly, no clear understanding nor definition of proper relationships among Management, Labor, and Government was ever resolved to the satisfaction of Management and Labor.

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[19]Bing, op. cit., pp. 231-232.

[20]Ibid, p. 241.

Now did Bridgeport and Labor find regarding Government Labor administration? Among employers, opinions vary widely. Employer leaders varied according to previous relations with employees, particular toward organized labor in general, and upon employer attitude as to whether a strike could be obtained. In general, management evidenced a distrust toward Government Labor administration, feeling that Labor was being favored by the Government for political reasons.[19]

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[19]Ross, op. cit., pp. 231-232.

[20]Ibid. p. 241.

World War II Labor Disputes and Functions of the National War Labor Board

The record of Labor-Management relations during World War II was one of co-operative effort on the part of employers, employees, and the Federal Government directed toward one common, all-important, and specific goal: that of providing sufficient industrial production to win the war. To this end there was unparalleled cooperation and national spirit in the all-out industrial effort. The labor dispute experiences and agency mechanisms of World War I had demonstrated that Government participation in labor dispute adjustments could be profitable for national interests. The foundation for wartime cooperation had been laid. Thus the overall labor experience during World War II was favorable for both Management and Labor as far as cooperative actions of the parties during wartime was concerned.

It is significant that World War II resulted in extremely rapid gains for Organized Labor. At the beginning of the war, Labor was concerned over union security, employee representation on government agencies, and the cost-of-living as manifested in the relationship between wages and prices.[21] The

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[21]See John H. Mariano, Wartime Labor Relations (New York: National Public and Labor Relations Service Bureau, 1944), Chapters I, II, and III. Also: Foster Rhea Dulles, op. cit., p. 232.

World War II Labor Disputes and Procedures
of the National War Labor Board

The record of Labor-Management relations during World War II was one of no-operative effort on the part of employers, employees, and the Federal Government directed mainly toward an over-all-important, and specific goal: that of preventing industrial labor-material problems to win the war. In this and there was unparalleled cooperation and national spirit in the all-out industrial effort. The labor dispute experiences and agency mechanisms of World War I had demonstrated that government participation in labor disputes adjustments could be profitable for national interests. The foundation for wartime agency action had been laid. Thus the overall labor experiences during World War II was favorable for both Management and Labor as far as cooperative actions of the parties during wartime was concerned.

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[21] See John R. Commons, Principle Labor Legislation (New York: National Public and Labor Relations Service Bureau, 1948), Chapters I, II, and III. Also: Foster Rhea Dulles, Op. cit., p. 121.

concern of Labor regarding worker representation on Government Labor adjustment boards was short-lived. The National War Labor Board was established on January 12, 1942 by Executive Order No. 9017 issued by President Roosevelt.[22] This board was composed of four members from Industry, four from Labor, and four representing the Public.[23]

Labor's concern over union security was ameliorated throughout the war. Early satisfaction was gained by Labor as a result of National War Labor Board functions. In the words of Foster Rhea Dulles:

> The War Labor Board got off to a good start in 1942 when it found a solution to the issue of union security in the so-called maintenance of membership agreements. Neither a closed nor a union shop were to be enforced. Union members or those who joined a union, however, were required as part of any contract made in their behalf to remain union members for the life of the contract, and they were subject to discharge from their employment if at any time they failed to maintain good union standing. Management representatives on the War Labor Board protested this arrangement and were never to be wholly reconciled to it, but they at least passively acquiesced after provision had been made for an initial fifteen day escape period during which any employee could withdraw from a union wholly without prejudice. Once arrived at, the principal of maintenance of membership was to be

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[22]U. S. National War Labor Board, The Termination Report of the National War Labor Board, Vol. 1, p. 6.

[23]Ibid., p. 3.

concern of labor regarding wartime cooperation on government labor adjustment boards was short-lived. The National War Labor Board was established on January 12, 1942 by Executive Order No. 9017 issued by President Roosevelt.[12] This board was composed of four members from industry, four from labor, and four representing the public.[13]

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[12]U. S. National War Labor Board, The Terminating Report of the National War Labor Board, Vol. 1, p. 9.

[13]Ibid., p. 3.

> consistently upheld throughout the war . . . . Nothing could have contributed more substantially to industrial peace than such assurance that union security and individual freedom of action would be alike safeguarded . . . .[24]

The issue of wages and prices became a more difficult problem. The problem was characterized by government concern over inflationary trends, a need to maintain economic stability while at war, and the dissatisfaction of Labor with wage levels compared with the cost of living.[25] The National War Labor Board, however, formulated a wage stabilization policy which was considered by one Chairman as the Board's most outstanding achievement. This opinion was expressed by Dr. George W. Taylor who stated:

> I will always consider that the formulation of the national wage stabilization policy was the Board's greatest achievement not only because of the difficulty of the problem but because the welfare of the nation was so dependent upon this action.[26]

On the Management side, it was significant that organized Management declared publicly its approval of conciliation in labor disputes affecting defense industries.[27] This position

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[24]Dulles, op. cit., pp. 335-336.

[25]Ibid.

[26]U. S. National War Labor Board, op.cit., p. XIX.

[27]Twentieth Century Fund, Labor and National Defense (New York: Twentieth Century Fund, 1941), p. 123.

> commensurately which throughout the . . . . Nothing could have contributed more materially to industrial peace than such assurance that union security and individual freedom of action would be mutually safeguarded . . . .[24]

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[24]Dulles, op. cit., pp. 135-136.

[25]Ibid.

[26]U. S. National War Labor Board, op.cit., p. 111.

[27]Bethlehem Century Fund, Labor and National Defense (New York: Twentieth Century Fund, 1941), p. 121.

is explained in part by Management's realization of the stature of Labor in the national economy. In World War I some employers had refused to recognize the principle of collective bargaining. By World War II, employers could no longer ignore union status and employee rights to organize. Management thus had no choice but to underwrite the process of adjustment in labor disputes as developed by the Federal Government.

The functions of the National War Labor Board revolved around the principle of "voluntarism," or cooperation among the civilian labor population, employers, and the Government--and around the principle of "tripartitism." Voluntarism reflected the intentions of all parties to substitute peaceful adjudication for strikes and was evidenced by the no-strike, no-lockout agreement of Labor and Management.

Tripartitism was primarily an assurance that all labor disputes would be resolved. Thus, there was no opportunity for some disputes to become non-arbitrable. The situation reflected the fundamental basis for Government intervention as providing a means whereby industrial production would continue at all times.[28]

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[28]U. S. National War Labor Board, op. cit., pp. XV-XIX.

is explained in part by management's realization of the wisdom of labor in the national economy. In World War I some employers had tolerated or encouraged the principle of collective bargaining. By World War II, employers could no longer ignore union status and employees rights or organize. Management that had no choice but to substitute the principle of adjustment in labor disputes as developed by the federal government.

The Americans of the Depression the labor force revived around the principle of "voluntarism," or cooperation among the various labor organizations, employers, and the government--and around the principle of "collectivism." Voluntarism emphasized the unwillingness of all parties to accept government adjudication for profits and was evidenced by the no-strike, no-lockout agreement of labor and management.

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[14]S. H. Lerner and Lynn Bond, op. cit., pp. 27-XIX.

Recognition should be afforded the "peculiar circumstances" under which the National War Labor Board operated. Braun describes these circumstances in the following manner:

> Its activities and policies rested upon the doctrine of the existence of a moral, if not a legal, obligation not to strike or lockout in wartime. No regular agency will, under ordinary circumstances, have the opportunity of functioning on such a basis. Moreover, the Board was a temporary short-term institution 'created because of the war and with no thought that it will last after the last shot is fired.' As part of the nation's war production machinery, it could count on more willingness of management and labor to cooperate than a peacetime agency functioning in an atmosphere in which the common purpose of winning a war does not exist. On the other hand, a temporary emergency board of such type cannot be expected to give too much thought to the pursuit or development of long-term policies designed to satisfy the needs of peacetime dispute settlement also. It neither has the time nor the function to do so. Its primary task in the field of dispute settlement is the preventing of interruptions of war production and, to attain this objective, it is perfectly justified to use all available means, including unorthodox ones which might not work under different conditions. Expediency might be given a greater role than might be advisable in the case of permanent agencies.[29]

Braun's analysis highlights a point made previously in the Introduction to this chapter; different criteria for Government action exist in time of war than during peacetime. The actions of such a Board during wartime are accepted by Management, Labor, and the general public as a practical basis

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[29]Kurt Braun, Labor Disputes and Their Settlement (Baltimore: The Johns Hopkins Press, 1955), p. 250.

Sanguinius should be attributed the "positive climate" under which the National Guard Bureau operates. Brown describes these circumstances in the following manner:

> In activities and projects requiring upon the discretion of the substance of a matter, it not a legal, obligation not to excite or incident in matters. Of regular agency will, under monitory circumstances, have the opportunity of identifying on such a basis. However, the basic use a temporary short-term institution "usurped powers of the our and with so though that it will last after the last after it ended." As part of the action's war production-line machinery, it could assess on more utilitarian of management and labor in cooperate than a personnel agency functioning in an emergency in which the common purpose of winning a war just exists. On the other hand, a temporary emergency board of such type cannot be expected to give one week change on the permit or development of long-term policies designed to satisfy the needs of peacetime airport activities also. It neither has the time nor the function to do so. Its primary task in the field of airport activities is the preventing of interruptions of war production and, in attain this objective, it is certainly justified to use all available means, including unorthodox ones which might not work under different conditions. Temporary agency may be given a greater role than might be advisable in the case of permanent agencies.[27]

Brown's analysis highlights a point made previously in the introduction to this chapter, different criteria for Government action exist in time of war than during peacetime. The actions of such a Board during wartime are accepted by management, labor, and the general public as a practical basis

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[27]Kurt Brown, Labor Disputes and Their Settlement (Baltimore: The Johns Hopkins Press, 1951), p. 210.

for ensuring that wartime industrial production is not slowed, hampered, or otherwise affected by labor disputes. The general public realizes that the Federal Government must have operational administrative machinery during wartime to prevent harm to the industrial economy. In essence, the Government's "role in labor controversies is determined by the people who make up the government."[30] Government intervention as a third-party to labor disputes thus becomes the generally accepted method of dealing with industrial human relations problems as conveyed by disputes between employers and employees.

Labor Problems and National Defense Since 1945

Previous discussion has detailed the significance that Government participation in Labor-Management relations held for the public interest during World War II. Two major products evolved from those wartime experiences. One was "the fundamental issue of voluntarism . . . . as a basis for public policy in labor disputes."[31] In this respect, the war brought forth unprecedented cooperation between Management and Labor. This was exampled by the full acceptance of collective

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[30] Milton L. Blum, Industrial Psychology and Its Social Foundations (New York: Harper and Brothers, 1956) pp. 238-239.

[31] Orme W. Phelps, Introduction to Labor Economics (New York: McGraw-Hill Book Company, 1955), p. 349.

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Labor Problems and Political Patterns
Today

Previous discussion has described the significance that Government participation in Labor-Management relations has for the public interest during World War II. The major procedure evolved from these wartime experiences, was the "the fundamental issue of voluntarism . . . as a basis for public policy in labor disputes."[71] In this respect, the war brought forth unprecedented cooperation between Management and Labor. This was assisted by the full acceptance of collective

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[70]William H. Shaw, Industrial Psychology and the Social Problems (New York: Harper and Brothers, 1956) pp. 212-213.

[71]Cone A. Phelps, Introduction to Labor Economics (New York: McGraw-Hill Book Company, 1955), p. 247.

bargaining as an underlying principle of labor relations programs in American industries.

A further product of the war was tripartitism; the working relationship of the Federal Government in combination with Management and Labor--all seeking together to sustain stability in labor relations so that defense industrial production could proceed unharmed by labor disputes between employers and employees.

But what about the applicability of these concepts within the context of a postwar economy?

It is now intended to trace these concepts of voluntarism and tripartitism through the postwar years following World War II, and up to the year 1954 when the United States began a significant program of ballistic missile development.

First of all, the idea of voluntarism has permeated practically all concepts of industrial human relations programs since World War II. The development of personnel counseling programs, the recognition of industrial social psychology as a means of achieving higher industrial production goals and increased business profits, and the applicability of personnel programs encompassing employee dynamics and research programs all signify the recognition by Management that voluntary

bargaining as the workforce participate in labor relations programs in American industries.

A further research of the war and reconstructing the working relationship of the Federal Government in cooperation with management and labor--all working together to develop stability in labor relations so that defense industrial production would proceed undisturbed by labor disputes because employers and employees.

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It is now intended to trace these concepts of volunteerism and participation through the postwar years following World War II, and up to the year 1974 when the Ford Administration began a significant program of nationwide community development.

First of all, the idea of volunteerism has permeated practically all concepts of humanitarian based relations throughout World War II. The development of personnel counseling programs, the recognition of industrial social responsibility as a means of achieving higher industrial productivity and increased business profits, and the applicability of personnel programs encompassing employee dynamics and research programs all signify the recognition by Management that voluntary

leadership in labor relations aids in achieving business goals.[32]

That the spirit of voluntarism was preserved and utilized throughout the ten years following World War II is evidenced in the following statement of Professor Arthur Whitehill,Jr.:

> Even more important than the actual programs, techniques, and devices in personnel administration and labor relations are the point of view and approach utilized in their administration. More and more business leaders are recognizing that in human relations lies the real key to progress in the years ahead.[33]

What is meant by "point of view and approach" as contained in the above quotation? The question may be answered by considering voluntarism as inherent in any industrial human relations program. Voluntarism means cooperation. Cooperation is achieved through the efforts of employers and employees and reflects basic policies of voluntary cooperation. Cooperation between workers and employers has been sustained to a high degree; the two have achieved laudable progress in returning "to the traditional American attitude that all men are equal."[34] This idea of equality in labor relations is

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[32]An appreciation of this reasoning is contained in Roger Bellows, Psychology of Personnel in Business and Industry (3d ed.; Englewood Cliffs, N.J.: Prentice-Hall, Inc.,1961), passim.

[33]Arthur M. Whitehill, Jr., Personnel Relations (New York: McGraw-Hill Book Company, 1955), p. 507.

[34]William R. Spriegel, Industrial Management (5th ed.; New York: John Wiley and Sons, 1955), p. 461.

inconsistency in labor relations which is existing between groups.[32]

Thus the spirit of voluntarism was preserved and initiated throughout the new plans originating work in 1921 is evidenced in the following statement of Frederick Arthur Muhlenberg:

> Both more important than the actual provisions, contracts, and devices in personnel administration and labor relations are the points of view and approach utilized in their administration. Here and there business leaders are recognizing that in human relations lies the real key to progress in the years ahead.[33]

This is stated by "point of view and approach" as contrasted in the above quotation. The question may be answered by considering voluntarism as interest in any industrial human relations program. Voluntarism means cooperation. Cooperation is achieved through the attitude of employers and employees and relative basic policies of voluntary cooperation. Cooperation between workers and employers has been maintained to a high degree; the two have evolved industrial programs in according "to the traditional American principle that all men are equal."[34] This idea of equality in labor relations is

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[32]An appreciation of this reasoning is contained in Roger Nelson, Employee Representation in Business and Industry (2d ed., Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1951), passim.

[33]Arthur F. Muhlenberg, Jr., Personnel Relations (New York: McGraw-Hill Book Company, 1952), p. 201.

[34]William H. Spriegel, Industrial Management (5th ed., New York: John Wiley and Sons, 1955), p. 441.

expressed in the recognition by Management that Labor occupies an unalterable position in the industrial economy--this concept finds expression in collective bargaining principles; when Labor is afforded recognition of its right to organize and represent employees, then Management is in essence saying "we recognize you and we will voluntarily cooperate with you in the interests of our business, our employees, and the public."

It may seem that this discussion of voluntarism has so far concentrated on Management's application of the concept. Although this has served as the medium through which voluntarism has been traced, it should be recognized that both Labor and the Federal Government have been involved in the labor relations activities of American industry. Voluntarism has been defined as cooperation among the civilian labor force, employers, and the Government. Cooperation has been achieved in the activities of all three, and a voluntary approach has identified the cooperative attitudes of all three.

Tripartitism has likewise been upheld and utilized in the administration of labor relations activities. The Federal Conciliation System is an example of tripartite action. The Federal Mediation and Conciliation Service, established by the Taft-Hartley Act, reflects the enduring application of tripartitism in labor dispute adjustments. There are other

expressed in the recognition by management that labor unions as multiangle position in the industrial economy—this wage floor cooperation is unlikely because principles when labor is affected occupation of its right to organize and expressed employer, then Management is in essence saying "we recognize you and we will voluntarily incorporate your in the interests of our business, our employees, and the public."

It may seem that this discussion of voluntarism has an connotated as Management's application of the property. Although this has served as the motive through which voluntarism has been invoked, it should be remembered that both labor and the Federal Government have been involved in the labor relations activities of American industry. Triparteism has been defined as cooperation among the civilian labor force, employers, and the Government. Cooperation has been achieved in the workplace as all three, and a voluntary approach has identified the cooperative attitudes of all three.

Triparteism has flourished long epoch and written in the constitution of labor relations activities. The Federal Conciliation System is an example of triparteism action. The Federal Mediation and Conciliation Service, authorized by the Taft-Hartley Act, endorses the voluntary application of triparteism in labor disputes adjudication. There are other

governmental Boards of this vein. It is considered unnecessary to trace the utilization of the various Boards; the important fact to note is that tripartitism has been actual through these recent times.

Tripartitism, however, has not endured without criticism. Its usefulness has been questioned repeatedly.[35] These criticisms have included charges of partisanship among Board memberships; the belief that tripartitism is not an appropriate device for developing long-term, continuous, responsible public policies; that impermanence of membership on tripartite boards does not lend well to perpetuation of basic policies.

It is considered that the above criticisms are secondary to the necessity for providing a means of resolution in all disputes. Without third-party participation by Government, Management and Labor could revert to positions of obstinance whereby non-agreements would result in strikes affecting adversely those U. S. defense industries directly and indirectly related within the industrial economy. Therefore, tripartitism is defended on the basis that it provides a proven method of resolving labor disputes to the benefit of society.

Beside the fact that the durability and utilization of voluntarism and tripartitism have been useful tools in

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35See Braun, op. cit., pp. 195-200.

governmental Bench of this view. It is considered unnecessary to cross the mellowing of the various Boards, the Department has to note it that privatization has been which during these recent times.

Privatization, however, has not ensured without criticism; its usefulness has been questioned repeatedly.[22] Many critics have very isolated charges of particularly among labor unemployed, the belief that privatization is not an appropriate option for developing long-range, continuous, responsible public policies, that implementation of emphasizing on tripartite bodies does not lead well to permanently of local policies.

It is considered that the above criticisms are necessary to the necessity for providing a means of resolution in all disputes. Without third-party participation by Government, management and labor could revert to practice of shortcomings whereby non-agreements would result in strikes affecting services by those D. G. Service industries directly and indirectly related within the industrial economy. Therefore, privatization is defended on the basis that it provides a proven method of resolving labor disputes in the public or society.

During the four year by Industry and mediation of voluntaries and tripartiteism were useful tools in

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[22] Ibid. Ibid., pp. 190-200.

administering labor relations activities since World War II, the postwar period was significant in another manner for labor problems concerning national defense industries. Following World War II the world was confronted with a Communist challenge directed toward world domination. The United States became the economic leader of the Free World's battle against Communism. The advent of the Cold War made increased industrial production necessary to sustain a Free World defense posture strong enough to combat the Communist menace. The requirements of national defense and foreign aid resulted in inflationary trends in the U. S. economy. This was evidenced by rising levels of prices and wages. Industrial production advanced by virtue of scientific, technological, and human relations progress by American businesses. Organized Labor, too, advanced in material degree to a position whereby it challenged Management to share business profits as never before.

Coupled with these facts, the United States Government became faced with some plaguing questions. When would intervention into labor disputes serve the best interests of society? When is intervention necessary in order to protect national interest? What industries affect national defense? Will democratic principles be best served through Government domination of labor dispute adjudicative machinery or should Management

administering labor relations activities during World War II. The postwar period was significant in evoking another for labor problems concerning national defense industries. Although World War II the world was confronted with a formidable challenge directed toward world domination. The United States became the economic leader of the free world's security against Communism. The success of the Cold War made increased industrial production necessary to evacuate a free world defense posture strong enough to counter the Communist menace. The requirements of national defense and foreign aid resulted in initiatives towards the U.S. economy. This was evidenced by rising levels of prices and wages. Industrial production accompanied by vicious or militaristic, technological, and human relations problems by American businesses. Organized labor, too, displayed its material desires in a position making it challenge management to their business profits as never before.

Coupled with these issues, the United States Government before dealt with some pinpoint questions. Does social insurance and labor disputes serve the best interests of society? Does it interrelation necessary in order to protect national interest? Does industries affect national security? Will democratic principles be best served through government domination of labor disputes adjudicative machinery or should management

and Labor be permitted complete freedom of action in the labor relations processes?

During the ten year period 1945-54, labor problems in defense industries posed no real threat to the national industrial economy as concerning military needs and requirements. It is true that there were periods of national emergency as during the Berlin Airlift and during the Korean Conflict. But through these periods there existed no general reaction of the American public, of national leaders on the public scene, of Management, or of Labor, to the effect that national security was seriously threatened in a grave and material sense. General belief was predicated on the premise that the United States was so far ahead of the rest of the world in scientific, technological, and industrial potential that the defeat of the Communist countries could be accomplished at will, anytime, and without undue hardship or sacrifice on the part of the American population. Within this general framework of public opinion, Labor enjoyed a protected position. Who could prove that Labor's demands were contrary to national interests? No one could. No demonstrable necessity could be clarified that would cause a public concern for Labor's increasing demands to share in business profits.

National defense was thus considered as unaffected by labor problems during this peacetime period. Although the

and labor be realized complete freedom of action in the labor relations procedure?

During the two year period 1947-49, labor problems in defense industries posed no real threat to the national industrial economy as concerning military needs and requirements. It is true that there were periods of national emergency as during the Berlin Airlift and during the Korean Conflict. But through these periods there existed no general revolution of the American public, of national leaders or the public press, of Congressmen, or of labor, to the effect that national security was seriously threatened to a grave and material extent. General belief was predicated on the premise that the United States was so far ahead of the rest of the world in scientific, technological, and industrial potential that the interest of the Communist countries could be accomplished at will, anytime, and without undue hardship or sacrifice on the part of the American population. Within this general framework of public opinion, Labor enjoyed a preferred position. Who could prove that Labor's demands were contrary to national interests? No one could. No demonstrable necessity could be established that would cause a public concern for Labor's increasing demands to share in industry profits.

National defense was thus considered as unimpaired by labor problems during this peacetime period. Although the

country was never officially at war with the Communists, the recognition of a Cold War state in international relations resulted in a measure of concern over where to draw the line between industries affecting national defense and those not affecting the nation's military posture. The question was never resolved. Attempts were made in definitive arguments over national emergency strikes by Government, Management, and Labor. However, an integral part of the issue was always the appropriateness of Federal Government intervention at a given time.

Summary

This chapter has outlined the history of labor problems in defense industries in the light of wartime and peacetime experiences. One particular problem has been transfixed as overshadowing all others. This problem is one of determining the need and degree of Federal Government intervention as a third-party to labor disputes.

Two conclusions are drawn from this historical review. The first is that wartime demands immediate, unqualified action by Government in getting a tripartite system of labor dispute adjudication underway. This requirement results from the state of national emergency as conveyed by the need for an uninterrupted flow of industrial production. Such production

security was some affiliate in the work of commerce, the economists of a time has spoke in international relations related in a matter of labour and there is also the time between industries affecting national welfare and issues by allowing the nation's military powers. The question was never resolved. Attempts were made in particular governments were national management either by government, employers, and labor. Serving as integral part of the union are always the appropriations of federal government, intervention is a given rule.

Summary

This essay has outlined the history of labor problems in defense industries in the 1940s in wartime and peacetime experiences. The particular problem has been considered as overshadowing all others. This problem is one of determining the need and extent of federal government intervention as a third-party to labor disputes.

Two conclusions are drawn from this historical review. The first is that security demands immediate, unqualified action by government in getting a satisfactory system of labor disputes adjudication machinery. This requirement results from the state of national emergency as conveyed by one mind for an uninterrupted flow of industrial production. Such production

is required in order to meet military and economic needs of the country. Military needs are stressed because of materials required by the military services in waging war. Economic needs are considered as material requirements sustaining the general population in its support of the "war machine."

A second conclusion is that peacetime brings no end to the problem of determining the necessity for Government intervention as a third-party to labor disputes. Just as definitions are required as to what constitutes industries affecting national defense in peacetime, so also must there be definition as to what constitutes peace. In the context of the Free World's battle against international Communism in general, and specifically in reference to the economic and industrial advances made by the Soviet Union since World War II, "peace" simply does not exist, nor has it been present since World War II ended. In this sense, the different criteria for determining governmental participation in the labor relations of employers and employees in times of war and peace may be less definite than was originally considered. The question is not amenable to specific analysis. The problem is complicated by other factors than the desires of Labor and of Management. The general public, too, has a stake in the matter.

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Overall analysis should consider the public interest as the most important, significant, and foremost basis for decision. Before the nation can perpetuate public interests, freedom from destruction must be secured. The society must be preserved first, and the details of individual interests can be worked out later. Because of this overwhelming need for preservation, dominance in military power is required. In these modern times this conclusion is inescapable.

In the following chapters, a definite problem whereby individual interests conflict with those of American society is to be detailed and analyzed.

Overall analysts should consider the public interest as the sole determinant, significant and foremost basis for decisions. Unless the section 206 permanent public liability, freedom from discretion must be assured. The society must be preserved first, and the rights of individual interests can be secured one later. Because of this overwhelming need for preservation, destroyed in military power is required. In these modern times this conclusion is inescapable.

In the following chapters, a detailed problem whereby individual interests conflict with those of American liability is to be detailed and analyzed.

CHAPTER II

THE UNITED STATES MISSILE PROGRAM

Introduction

The previous chapter introduced the problem of Government intervention in labor matters and illustrated through historical experience the necessity for tripartite action in American labor relations. However, some definite mode of production must utilize human labor resources in order that labor dispute problems may require adjudication. In this respect, application of the previous chapter's analysis is to be made to the United States missile program.

This chapter will detail the advent of ballistic missiles and a United States missile program, the administrative pattern of missile program management, an appreciation for the magnitude of the operation, and the dependency of the missile program on construction support. This information will provide an orientation to the setting in which labor problems occur.

The Advent of Ballistic Missiles and a United States Missile Program

A nontechnical introduction to missiles is provided in an interesting book[1] written by a United States Air Force officer, Colonel Nels A. Parson, Jr., who is regarded as an

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Introduction

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The Advent of Military Missiles and a United States Missile Program

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authority on missile tactics and strategy. Colonel Parsons was a participant in Operation Paperclip, the program that brought Dr. Wernher von Braun and his colleagues to the U. S. from Germany after World War II. Colonel Parsons sketches briefly the record of missile development since man first attempted rocket experiments.

An ancient Chinese scholar and scientist named Wan Hu was perhaps the first person to try to propel himself into space. Chinese historians relate that Wan Hu fastened a cluster of crude rockets to a sedan chair and fired them all simultaneously. It still isn't known how successful Wan Hu was, for upon the rockets' blast, he disappeared and "has not been heard from since."[2]

Other accounts of rocket development show that during the 15th Century wars, use of rockets was made by the French against British forces. Germans experimented with war rockets up to one hundred pounds weight in the 17th Century. In 1806, the British bombarded Boulogne with rockets fired from boats.[3]

However, little significant development of missiles and rockets occurred until the 20th Century. Advances in

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[2]Ibid., p. 17.

[3]Phillip De La Ferte, Rocket (New York: Philosophical Library, 1957), pp. 14-15. Cited by Colonel Edgar R. Jackson, Jr., U. S. Air Force, An Analysis of the Air Force Ballistic Missile Base Construction Problem; Unpublished thesis, Industrial College of the Armed Forces, 1962.

machinery on mobile bases and airship[1]. Colonel Stevens was a participant in Operation Paperclip, the program that brought Dr. Wernher von Braun and his colleagues to the U. S. from defeated Nazi Germany after World War II. Colonel Stevens wrote: "It was the result of mobile development since then that stressed rocket experiments."

An article Stevens wrote had probably noted that Dr. was perhaps the first person to say so proper farewell into space. Stevens characterizes rocket man as "a cross between a star-lit of crude rockets to a pushed chair and lifted them all simultaneously. It will not's taken too accepted that so was, for upon the rockets' wings, he disappeared and "has not been heard from since."[2]

Other accounts of rocket development show that during the Cold Country wars, use of rockets was made by the Soviet against British troops. Germans experimented with our rocket up to use modern rocket weight in the 1970s Country. In 1980, the British Government Envoys with rockets fired from Ports.[3]

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scientific and technological knowledge aided the development of the airplane and aroused new interest in air and space travel. Significant advances in the development of missiles and rockets were achieved by Goddard[4] in 1919, Oberth[5] in 1923, and Saenger[6] in 1933. These were accomplished respectively in the United States, Germany, and Austria.

During the period 1933-1939, the Germans developed a superior advantage in the development of guided missiles through an organized program of research and development.[7] Although the rockets developed were crude compared to present day missile sophistication, the significant fact was that ballistic missiles became feasible as weapons of war. The subsequent development of the German V-2 rocket is well known. It was widely recognized that such a weapon, combined with the nuclear warheads developed and displayed by the United States, held vast potential for destruction. The Soviet Union, the United States, and other Allies competed in locating German rocket scientists and obtaining their services.

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[4]Parson, op. cit., p. 19.

[5]Ibid., p. 20.

[6]Ibid.

[7]Ibid., p. 22.

scientific and technological knowledge aided the development of the airplane and aroused her interest in air and space travel. Significant advances in the development of missiles and rockets were achieved by Goddard[4] in 1919, Oberth[5] in 1923, and Ganswindt[6] in 1931. These were accomplishments comparatively in the United States, Germany, and Austria.

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[4]Larson, op. cit., p. 13.

[5]Ibid., p. 20.

[6]Ibid.

[7]Ibid., p. 22.

After World War II, the United States stepped up a program of missile development which had begun during the war but had received no urgent treatment.[8] From 1945 through 1950, missile development activities were concentrated mainly at White Sands, New Mexico. The Redstone Arsenal at Huntsville, Alabama was established in 1949. But during this period, the U. S. made the decision to rely upon aircraft to deliver nuclear weapons, and jet aircraft development took precedence over guided missiles. This decision gave the U. S. a superior strategic advantage that was destined to be seriously threatened by Soviet Russia a few years later.

The need for a program of ballistic missile development in the United States closely paralleled the state of the Cold War. Before Korean hostilities, there appeared little reason, at least as far as public opinion was concerned, to question the proposition that the Free World would champion the democratic spirit and American ideals. However, the Communists were at work to undermine the security of Free Peoples. An organized research program was evidently given priority in Soviet Russia to develop guided missiles. The Soviet intent must have been to achieve superior strategic advantage over the United States capability of delivering nuclear weapons by means of manned

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[8] Ibid., p. 28.

During World War II, the United States engaged in a program of missile development which had begun during the war but had received no urgent treatment.[8] From 1941 through 1946, missile development activities were continued mainly on White Sands, New Mexico. The Redstone Arsenal at Huntsville, Alabama was established in 1949. But during this period, the U. S. made the decision to rely upon aircraft to deliver nuclear weapons, and jet aircraft development took priorities over guided missiles. This decision gave the U. S. a superior strategic advantage that was destined to be seriously challenged by Soviet Russia a few years later.

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[8]Ibid., p. 16.

aircraft. The Korean Conflict pointed up the seriousness of Communism's intent to spread world-wide.

A change of attitude began to affect the American public. Concern over Russian technological advances led to increases in the United States missile budget.

> From 1945 to 1950 the missile program in this country averaged about $70 million a year, gradually creeping up to $135 million by 1950. The first year of Korea saw $800 million spent on missiles, and the second more than $1 billion.[9]

Congressional records reveal that in 1953, control was centralized over missile programs of the U. S. armed services by the Secretary of Defense. This action, taken in the first year of a new Administration, served to channel missile activities into the regular planning structure of the Department of Defense. Such action resulted in the authorization on November 12, 1953 for the Secretaries of the Air Force, Army, and Navy to fund and implement their respective guided-missile development programs. This was to be accomplished "within the framework of and consistent with established policies and procedures for interservice coordination, apportionment and control of funds and production scheduling."[10]

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[9] Ibid., p. 38.

[10] U. S. House of Representatives, Organization and Management of Missile Programs. Eleventh Report by the Committee on Government Operations, House Report No. 1121, 86th Cong., 1st Sess., September 2, 1959, p. 10. Cited hereafter as U. S. House of Representatives, House Report No. 1121.

arrived. The Brown Committee concerning the assignment of Commerce's issues to general world-wide.

A change of attitude began to affect the American public because very serious technological advances had to initiated in the United States missile budget.

> From 1945 to 1950 the missile program in this country averaged about $70 million a year, gradually creeping up to $122 million by 1950. The first year of these was $500 million spent on missiles, and the second was close $1 billion.[9]

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[9] Ibid., p. 39.

[10] U. S. House of Representatives, Organization and Manager Report of Missile Programs. Eighth Report by the Committee on Government Operations, House Report No. 1121, 86th Cong., 1st Sess., September 2, 1959, p. 10. Cited hereafter as U. S. House of Representatives, House Report No. 1121.

This reorganization may thus be considered as the real beginning of a coordinated program of ballistic missile development in the United States.

Administrative Pattern

Missiles are developed by the Air Force, Army, and Navy for tactical requirements, for air defense, and for strategic deterrence purposes.

Those missiles of most importance to this study are of two types. One is the long-range inter-continental ballistic missile (ICBM), designed to carry nuclear warheads over a 5,000 or 6,000 mile distance. The second is the intermediate-range ballistic missile (IRBM), designed for launching from forward land areas or from the seas to a distance of 1,500 to 2,000 miles. These are strategic missiles; they have received high national priority, are expensive to build, complicated, and evoke special organizations and procedures in development and production.[11]

The ICBM is assigned exclusively to the Air Force for development, production, and deployment.[12] Three types of ICBM's have been most significant: Atlas, Titan, and Minuteman.

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[11] *Ibid.*, p. 21.

[12] *Ibid.*

This reorganization may thus be considered as the real beginning of a coordinated program of ballistic missile development in the United States.

Ballistic Missile Policy

Missiles are developed by the Air Force, Army, and Navy for tactical employment, for air defense, and for strategic deterrence purposes.

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[11]Ibid., p. 11.

[12]Ibid.

The IRBM has included three main types: Polaris, Thor, and Jupiter. The Navy has been assigned the Polaris for use at sea. The Air Force has developed and produced the Thor, and the Army the Jupiter. However, the Army has not been permitted to field the Jupiter. Deployment and use of the Thor and Jupiter has been limited to the Air Force.[13]

Overall missile management has thus been a three-sided military effort, with special management organizations utilized by each military service. Air Force missile management has been effected under the control of the Air Research and Development Command. The Army's work on the Jupiter missile has been the responsibility of the Army Ballistic Missile Agency, Army Ordnance Missile Command at Huntsville, Alabama. The Navy Polaris management has been effected by a Special Projects Office of the Navy.

The urgent need for a streamlined, effective missile program was recognized early following concentration of missile development effort in the office of the Secretary of Defense (OSD). In 1953, six additional Assistant Secretaries were created to aid the Secretary for Research and Development and for Applications Engineering. Although these two posts were

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[13] *Ibid.*

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[15]Ibid.

not specifically advertised as such, the main intention was that they should monitor missile development. In January 1954, the Assistant Secretary for Research and Development established the Research and Development Coordinating Committee on Guided Missiles. This committee's function was "for achieving a sound coordinated and integrated research and development program in the field of guided missiles."[14]

This administration pattern was continued the following year, when in 1955, the Gillette Committee reviewed then-existent administrative procedures and submitted recommendations for improvement.[15] The Committee's report "laid the foundation for the Department of Defense administrative pattern in handling not only the ICBM and IRBM programs but new weapons such as the Nike-Zeuk anti-missile missile, which also have been accorded high priority."[16]

A primary concern of the Gillette Committee was the problem of industrial and military construction. On November 8, 1955, the Secretary of Defense made the following specific

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[14]Department of Defense Directive 5128.15, dated January 6, 1954. U. S. House of Representatives, Organization and Manage- of Missile Programs. Hearings before a Subcommittee of the Committee on Government Operations. 86th Cong.,1st Sess., February 4-March 20, 1959, p. 730.

[15]Ibid., p. 639.

[16]U. S.House of Representatives, House Report No. 1121, p. 2

not specifically authorized by law, the state institutions that they should receive civilian development. In January 1954, the Ministry Secretary for Research and Development established the Research and Development Coordinating Committee on Guided Missiles. This committee's function was "to coordinate a sound constituted and integrated research and development program in the field of guided missiles."[12]

This administration process was concluded the following year, when in 1955, the Utilize Committee established administrative administrative procedures and administrative procedures for investment.[13] The Committee's report "said the foundation for the department of defense administrative procedures in handling not only the 1955 and 1956 programs but new programs such as the Air-Land surface-missile missile, which also have been accorded high priority."[14]

A primary concern of the Utilize Committee was the problem of industrial and military construction. On November 9, 1955, the Secretary of Defense made the following specific

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[12]Department of Defense Directive 3129.12, Undat. Secretary E. 1954. U. C. Bureau of Experimentation, Organization and Operation of Missile Programs. Hearings before a Subcommittee of the Committee on Appropriations Committee. Hill Comp.,1st Sess., February 4-March 10, 1957, p. 720.

[13]Ibid., p. 639.

[14]U. S.Bureau of Experimentation, Annual Report No. 1121, p. 5

authorizations and general operating concepts regarding missile program construction:

> The Secretary of the Air Force . . . and the joint Army-Navy Committee . . . were delegated authority to approve facilities requirements, establish completion dates, designate the agency for construction best able to meet the required objectives, and to approve the construction. Funds apportioned by the Bureau of the Budget were to be made available in lump sums as justified in the development plans and reflected in the financial plans as approved by the OSD Ballistic Missiles Committee. In the meantime the Secretary of the Air Force and the joint Army-Navy Committee were authorized to proceed immediately with their studies and with the design of facilities required to support their purposes.[17]

In chronological sequence then, the year 1955 marked another administrative change in the U. S. missile program that had been given priority during Korean hostilities and which had been significantly reorganized in 1953. The 1955 management organization was utilized until 1957. In October 1957, the Soviet Union launched Sputnik I into orbit. Immediate concern was demonstrated by the American public over the Russian accomplishment. U. S. missile programs were stepped up accordingly, and the military potential of space seemed unlimited.

The Defense Reorganization Act of 1958 provided another means of speeding-up missile program decision-making processes

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[17] Ibid., p. 28.

authorizations and general operating concepts regarding missile program construction:

> The Secretary of the Air Force . . . and the Joint Army-Navy Committee . . . were delegated authority to approve facilities requirements, capital construction dates, designate the country for construction over which to exert the required supervision, and to approve the construction. Those approvals by the Secretary of the Budget were to be made available in lump sum as justified in the development plans and reflected in the financial plans as approved by the DOD Initial Missiles Committee. In the meantime the Secretary of the Air Force and the Joint Army-Navy Committee were authorized to proceed immediately with their studies and with the design of facilities required to support their programs.[17]

In chronological sequence then, the year 1951 marked another administrative change in the U. S. missile program that had been given priority during Korean hostilities and which had been significantly upgraded in 1952. The 1951 management organization was outlined until 1957. In January 1957, the Soviet Union launched Sputnik I into orbit. Immediate concern was demonstrated by the American public over the missile accomplishment. U. S. missile programs were stepped up accordingly, and the military personnel of space assets multiplied.

The Defense Reorganization Act of 1958 provided another means of speeding-up missile program decision-making procedures

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[17] Ibid., p. 32.

and minimizing research and development duplication. This Act established the new post of Director of Defense Research and Engineering. This office was to take precedence over all other Department of Defense Assistant Secretaries. The duties of the new Director were "to act as principal adviser to the Secretary of Defense on scientific and technical matters; to supervise all research and engineering activities in the Department of Defense; to direct and control (including their assignment or reassignment) research and engineering activities that the Secretary deems to require centralized management."[18]

Chart No. 1 depicts the changes in the Department of Defense Guided Missile Management Program through the 1950's. Any conclusion forthcoming from analysis of these modifications must reflect the basic fact that at all times the organizational structure has been complicated and the overall program of great magnitude.

The goals of the United States missile program must necessarily be couched in general terms. It is understandable that specific information must be classified in the interests of national security. One the whole, it should be understood that the main goal is the development of a weapons capability

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[18] Ibid., p. 18.

and maintaining manpower and development facilities. This Act established the new post of Director of Defence Research and Engineering. This office was to take precedence over all other departments of Defence dealing with research. The duties of the new Director were to act as principal adviser to the Secretary of Defence on scientific and technical matters; to supervise all research and engineering activities in the Departments of Defence; to assess and control (including their assignment or reassignment) research and engineering activities that the Secretary deems to require centralized management.[12]

Chart No. 1 depicts the changes in the Department of Defence during their single Management Program through the 1960's. My conclusion (although from analysis of these modifications more evident) the basic fact that as all these organizational structures had been complicated and the overall program of great magnitude.

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[12]Ibid., p. 10.

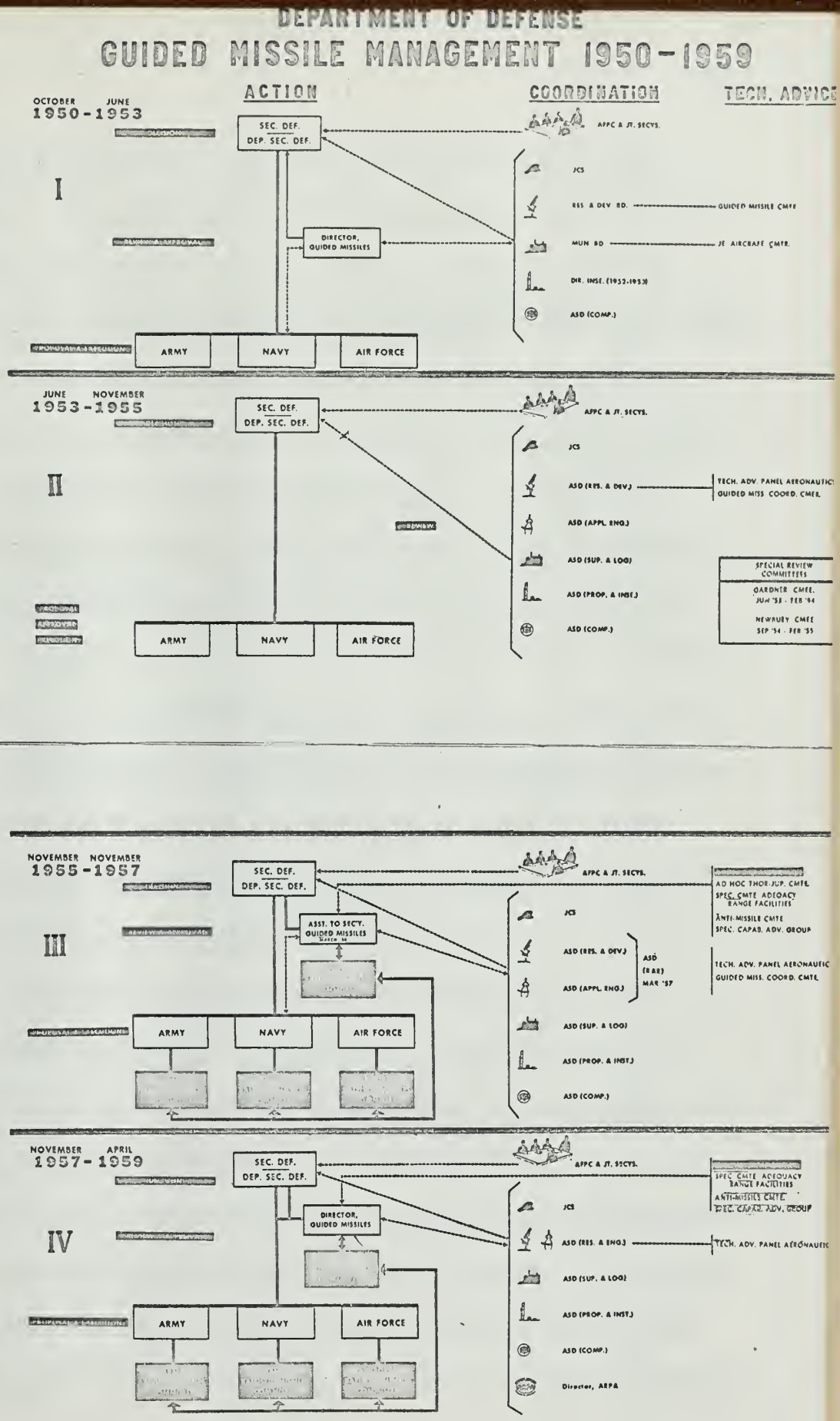

CHART NO. 1

Source: U.S. Senate, Work Stoppage at Missile Bases. Hearings before the Permanent Subcommittee on Investigations of the Committee on Government Operations, p. 712.

enabling the U. S. to hold military superiority over the Soviet Union. In practical terms this is the main objective. As a matter of fact this is the primary concern. This is a standing goal that must be achieved through long-range plans of weapons development. Missiles are complicated. Their effectiveness and dependability depend upon scientific, technological, and human relations achievements. Scientific progress finds expression through basic and applied research. Technological development depends on the ability of man to utilize all known resources, including human labor, in achieving new means of accomplishing desired results. This reasoning may be appropriately applied to the U.S. missile program in the sense that effective administration depends on the ability of men to organize, deputize, and supervise within the context of labor relations programs.

The scope of such a labor program is enormous. The missile program is a complex operation. Missiles must be designed, manufactured, tested, transported to launching areas, housed, and serviced in order to be operational.

Assuming that a missile has gone through the manufacturing stage and is ready for use, what is the next big problem? The problem may be considered as one of getting the missile to a launching site and launching it. This brings construction

enabling the U. S. to field military superiority over the Soviet Union. In practical terms this is the main objective. As a matter of fact this is the primary concern. This is a scarcely real fact that must be achieved through long-range plans of weapons development. Missiles are complicated. Their effectiveness and dependability depend upon reliability, behavioral, and human relations considerations. Scientific progress rests supreme through basic and applied research. Technological development depends on the ability of man to utilize all human resources, including human labor, in delivering the ultimate of scientifically derived results. This presenting may be particularly applied to the U.S. missile program in the sense that effective administration depends on the ability of man to organize, direct, and supervise within the context of labor relations procedure.

The score of such a labor program is successes. The missile program is a complex operation. Missiles must be designed, manufactured, tested, transported to launching areas, housed, and serviced in order to be operational.

Assuming that a missile has gone through the manufacturing stage and is ready for use, what is the next big problem? The problem may be considered as one of getting the missile to a launching site and launching it. This brings construction

labor efforts into focus, for before a missile can be stored and launched, site facilities must be available.

The Dependency of the Missile Program on Construction Support

How seriously do construction labor problems affect the capability of the United States to attain effective missile capability? This question is significant in the sense that missile-site construction is a vital link in the chain of events leading to the operational utilization of ballistic missiles.

However, before labor problems are discussed, it may be appropriate to establish in clearer detail the dependency of ballistic missiles on construction support.

The airplane is dependent on an air base for housing, servicing, and runway facilities and is of no value unless these are provided. Similarly, the missile must have physical facilities to be of value. However, in the case of the airplane, an air base can be utilized for various types of aircraft. Allowable tolerances in the type, size, and shape of airfields are fairly liberal. For example, an air base constructed for use by a World War II heavy bomber could be

labor attacks into focus, for during a strike can be issues and bargained, also facilities must be available.

The Dependency of the Atlantic Fleets on Industrial Support

Now seriously do construction labor problems affect the capability of the United States to execute effective atomic capability? This question of significance is the issue that missile-size construction is a vital link in the chain of events leading to the operational utilization of ballistic missiles.

However, before labor problems are discussed, it may be appropriate to briefly in order detail the dependency of ballistic missiles on construction support.

The airplane is dependent on an air base for parking, servicing, and crewing facilities and is of no value unless these are provided. Similarly, the atomic sub; have physical facilities to be of value. However, in the case of the airplane, an air base can be utilized for various types of aircraft. Although differences in the type, size, and number of aircraft are fairly liberal. For example, an air base constructed for use by a World War II heavy bomber could be

adapted with relative ease for use by a modern heavy jet bomber such as the B-52.[19]

This concept of base and weapons-site adaptation has been changed though as applicable to ballistic missiles. Each missile varies as to the configuration of its launching site. These missiles are entirely new; they require new construction of site facilities. Missile-sites are complex and they are expensive; and missiles cannot be made operational without construction support.

Summary

Missiles and rockets have been experimented with for centuries but it was only during the current century that man developed these as effective weapons of war. Missile development paralleled the state of other technical and scientific discovery. The United States began a limited amount of work on missiles during World War II, but German efforts were the main achievements. After World War II, the U. S. missile program was not significant until the Soviet Union began to demonstrate proficiency in this area. As the Cold War progressed,

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[19] Major General Augustus M. Minton, "Basing the Aerospace Force," Air University Quarterly Review, Vol. 12, Winter and Spring, 1960-61, p. 176. The dependency of the ballistic missile on construction support is clarified in graphic detail through photographs of missile launching sites and a comparison of Aircraft and Missile support requirements in Colonel Edgar R. Jackson, Jr., loc. cit.

adapted with relative ease for use by a modern heavy jet bomber such as the B-52.[19]

This summary of base and transportation adaptations can been changed slightly as applicable to military aircraft. Land mobile varies as to the construction of its functional site. These elements are entirely dual (civil/military) in nature of air facilities. Mobile-sites are complex and they are expensive; but mobile carrier is some operational aircraft, air-mobile support.

Summary

Mobility and readiness have been experimented with for centuries but it was only during the current century that man developed these ad effective methods of war. Mobile development paralleled the state of other technical and scientific discovery. The initial stages began a limited method of work on mobile during World War II, but became effective only the main achievements. After World War II, the U. S. mobile program was not significant until the Korean Union began to demonstrate proficiency in this area. As the cold war progressed

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[19]Major General Monroe S. Nelson, "Easing the Intercontinental Force," Air University Quarterly Review, Vol. 12, Winter and Spring, 1960-61, p. 176. The dependency of the military mobile on construction support is clarified in crystal detail through photographs of mobile launching sites and a description of airways and Mobile support requirements in Colonel Edgar H. Jackson, Jr., loc. cit.

the U. S. stepped up its missile efforts and got a coordinated program underway in the early 1950's. In 1957, the first Russian Sputnik highlighted the need for a great U. S. effort to design and develop missile systems.

Missiles are of little value without physical site facilities. Therefore, construction support is mandatory. Missile-sites must be constructed through human efforts. It seems logical that labor dispute problems could be one manner by which delays, higher costs, and damage to the U. S. defense posture could be effected.

the U. S. proposed by the Lockheed offices had got a sweepback
propose conference in the early 1950's. In 1951, the Navy
Bureau Aeronautics highlighted the need for a jet A. A. aircraft
to design and develop missile systems.

Materials has of little value without proven skills
also. Therefore, construction engineer is necessary. Materials
alone may be constructed through trade offers. It means
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position could be affected.

CHAPTER III

A PROBLEM OF NATIONAL CONCERN: LABOR DISPUTES AT U.S. MISSILE BASES

Introduction

Preceding chapters have reviewed in some detail the record of labor problems affecting national defense, introduced the issue of Government intervention as a third-party to labor disputes, traced the development of the United States missile program, established the dependency of the program upon construction support, and pinpointed labor dispute problems as having potentially serious effect upon missile program goals and effectiveness.

This chapter will focus upon labor disputes in the missile program as occurred during the time period 1957 to 1961. More specifically, this period covers the time lapse between the launching of Sputnik I by the Soviet Union in October 1957, and April 1961 when a United States Senate investigating committee began a series of hearings probing labor problems at missile-sites. The investigating group was the Permanent Subcommittee on Investigations on the Committee of Government Operations, the chairman of which was, and has continued to be, Senator John L. McClellan of Arkansas. The published record of these hearings[1] details a pattern of work stoppages, slow-downs, high wage-rates,

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inter-union conflicts, and high expenses of construction that have remained unjustified by union, management, military, and public officials. Where the responsibility lies for these abuses has been a controversial subject ever since the McClellan Committee hearings spotlighted the crucial problem and the effects that labor problems were having on missile-site construction. National concern as reflected in public opinion and immediate communications media attention became a primary demand source for action to curb the detrimental time and money losses occurring in missile program construction. As soon as responsible governmental leadership realized the impact of these labor disputes, an immediate analysis resulted in executive action which turned the tide of abuse from increasing to decreasing proportions. Such action was the establishment of a Missile Sites Labor Commission by the President of the United States. An analysis of this Commission's activities is made in a subsequent chapter. The study, analysis, and research preceding the resultant progress was reflective of effort by all involved areas of Labor, Management, and Government to seek some method of resolution quickly and efficiently.

Committee on Government Operations, 87th Cong., 1st Sess.; Part 1, April 25, 26, 27, 28 and Part 2, May 2,3,4,5 and June 9, 1961.

[illegible] conflicts, and high incidence of industrialists that have remained unjustified by unions, management, military, and public officials. There the responsibility lies for these abuses has been a controversial subject ever since the Kaiser Commission hearings spotlighted the crucial role and the efforts that labor problems were having on state-wide constructions. Political concern as reflected in public opinion and legislative communications well indicates beneath a primary demand across the nation to push the constitutional line and many leaders according to minimum program construction. As soon as responsible governmental leadership realized the impact of these labor disputes, an immediate analysis resulted in executive action which turned the tide of abuse from increasing to decreasing proportions. Such action was the establishment of a State Labor Commission by the Governor of the United States. An analysis of this Commission's activities is made in a succeeding chapter. The study, analysis, and research preceding the creation program was illustrative of effort by all involved agent of labor, management, and Government to seek some method of resolution quickly and situationally

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The parties to these proceedings comprised labor unions, contracting construction companies, military administrators, and other governmental agencies involved in the missile-site construction labor activity.

As these disputes are revealed, it is appropriate to bear in mind the general atmosphere enveloping the situation. The missile program is one method by which the United States upholds the security of the Free World. One purpose of sustaining a democratic society is to allow individual freedom of choice or selection of alternatives regarding dispensation of labor services and utilization of such by societal participants. The alignment of public interest commensurate with individual bargaining rights is reflective of dynamic processes of social or community adjustment to scientific, technological, and human relations progress. At all stages of the society's expansion or perpetuation, problems crop up regarding the organization, coordination, and technique of employing human labor resources. Labor disputes at U. S. missile-sites are illustrative of the form taken by many of these problems.

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Construction Labor Problems

Following Sputnik I in October 1957, there was rapid action on the American scene in getting a more significant missile-site construction program underway at full speed. In early 1958, the Congress passed a supplemental construction authorization and appropriation bill, providing 112 million dollars to accelerate missile-site construction.[2] This was followed closely by increases in the number of planned missile sites.[3] Commensurate with these increases the demand for construction workers multiplied at missile-sites. The urgency of getting construction work performed was evident. As many as 2,700 workers were employed at individual missile sites while construction work was being performed. In the overall program, about 30 different industrial and construction unions represented these workers.[4]

The process of construction at these bases reflected a "concurrent" approach in the development of missile weapons

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[2]U. S. Congress, Supplemental Defense Appropriation Act of 1958, Public Law 322, 85th Cong., 2nd Sess., 1958.

[3]U. S. Congress, Military Construction Appropriations Act of 1959, Public Law 852, 85th Cong., 2d Sess., 1958.

[4]U. S. Senate, op. cit., p. 7.

Construction Labor Problems

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[3]U. S., Congress, Supplemental Defense Appropriation Act of 1958. Public Law 111, 85th Cong., 1st Sess., 1958.

[4]U. S., Congress, Military Construction Appropriation Act of 1959. Public Law 412, 85th Cong., 2d Sess., 1958.

[5]U. S., Hearing, op. cit., p. 7.

systems. This approach was opposite the traditional step-by-step development of previous weapons whereby each program phase awaited the completion of previous phases. In the missile program, phases have continued to overlap one another. Missile-site construction began before the research and development phase of any particular missile type was completed.[5] The significance of this fact is that changes in design, construction delays, and delays in research and development often resulted in missile installation and equipment checkout being performed at the same location and at the same time as construction work. This complicated the process. Various contractors were necessarily performing their varied operations in a complex array of construction work, equipment installation, and other related tasks, all performed more or less simultaneously.

Contractors operated under two types of contracts, fixed-price and cost reimbursement. Under the former, one fixed, predetermined price was paid for a particular job. Under the latter, or cost-reimbursement type, there was no certainty as to the ensuing cost; research and development being incomplete afforded no basis for cost determination. Thus under this type contract, a contractor executed an agreement to perform a job

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[5] Ibid., p. 9.

systems. This approach was superior to the traditional step-by-step development of previous missiles wherein each missile design evolved the completion of previous phases. In the missile program, phases were continued in overlap one another. Missile-airframe combinations began before the research and development phase of any particular missile item was completed.[4] The significance of this fact is that changes in design, manufacturing delays, and delays in research and development which applied to missile integration and operation should only performed at the same location and at the same time as construction work. This complicated the process. Various contractors were necessarily performing their varied operations in a confined area at construction work, movement inevitable, and other related facts, all performed more or less simultaneously.

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[4]Ibid., p. 3.

for a certain profit and was then allowed to charge all expenses to the Government.[6]

When the cost-reimbursement type contract is considered in view of the tight schedules, necessity for work accomplishment, and uniqueness or lack of previous similar experience in such a costly, complex operation, it is evident that there existed opportunities for abuse in work efficiency and construction expense. Contractors in this situation could ignore the requirement of supervising costs in order to profit from their work.

As the missile-site construction program progressed, two basic reasons[7] developed for expecting greater labor problems in this area than for other construction projects. These reasons are based on the situation as previously discussed. The first reason advanced is that of "joint occupancy." In this respect, employees of contractors for construction work were performing work at the site alongside the employees of weapons systems contractors performing equipment installation and related activity. Construction contractor employees were represented

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[6] Ibid., p. 10.

[7] Ibid., p. 57.

for a certain period and not have allowed to change all aspects in the Commonwealth.[6]

When the post-relocationist type concept is considered in view of the right schools, namely for well established, and uniformness or lack of previous visible experience in such a vitally complex operation, it is evident that there existed opportunities for change in very efficiency and innovative aspects. Consequently in this situation could ignore the requirements of supervising their in order to profit from their mean.

As the statistics-type conservation program progressed, two basic reasons[7] analyses for supporting greater labor problems in this area also for labor construction projects. Such reasons are based on the situations as previously discussed. The first reason advanced is that of "joint management." In this instance, employees or representatives can understandings with management work as the site studying the employees or labor-management conferences providing equipment installation and related activity. Construction workers employees were supervised

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[6]Ibid., p. 19.

[7]Ibid., p. 20.

by industrial unions. This situation often led to disputes between building tradesmen and industrial unionists over the matter of whether certain tasks were construction or non-construction in nature. Labor disputes of this type carry the term "jurisdictional disputes."

The second basic reason for expecting a higher level of labor disputes at these construction sites is manifested in the numerous contracts and contractors. Union representation means that collective bargaining agreements must be consummated between Labor and Management. The more complicated a project is in terms of numerous employers and unions, the more chance there is for problems to arise regarding organizational efforts and collective bargaining agreements.

There is other evidence that these were the primary reasons for missile-site labor troubles. One respectable magazine report has stated that the main causes were jurisdictional fights and the refusal of unionists to work with nonunion men.[8]

The Vice-President for Industrial Relations for the Martin-Marietta Corporation[9] has described two reasons for

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[8]"Why Missile Workers Strike," Business Week, No. 1728, October 13, 1962, p. 117.

[9]Douglas V. Dorman, cited in Labor Relations Reference Manual (Washington: Bureau of National Affairs), Vol. 49, p. 57. (Hereinafter cited LRRM).

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The second basic reason for supporting a higher level of labor citizenship at these construction sites is manifested in the workers' concerns and motivations. Jon's representation means that unionized bargaining arrangements will be closer-based between labor and management. The work organization a project is in terms of numerous craftsmen and unions, the more chance there is for problems to arise requiring mutual-rational efforts and collective bargaining agreements.

There is other evidence that other more non-pecuniary reasons for unionized-site labor problems. One respondent suggests reports the stated that the main reason were jurisdictional fights and the refusal of unionists to work with nonunion men.[9]

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[9]Roujin V. Dorman, cited in Labor Relations Reporter National Operations Bureau of National Affairs, Vol. 47, p. 37. (Washington: BNA Inc.).

the labor trouble. One conforms to previous discussion, being the unique situation of the missile-site construction program. The second reason advanced by this official is the interpretation of the Davis-Bacon Act. This Act

> . . . establishes employment standards for laborers and mechanics engaged in public construction under federal contracts for amounts in excess of $2,000. Such contracts, the Davis-Bacon Act requires must specify the minimum wages to be paid the various classes of mechanics and laborers employed on the project. These minimum rates are to be those determined by the Secretary of Labor to be prevailing for such jobs in the particular locality.[10]

This Act is considered only to guarantee a minimum wage to laborers and mechanics who work on federally-financed construction projects. However, the Act has been construed by some building trades unions as "a grant of jurisdiction over work performed at the missile bases."[11]

The McClellan Committee hearings focused further attention on the Davis-Bacon Act. Testimony in these hearings revealed that the historical result of applying this Act to a construction project is that construction workers perform the work.[12] In this manner, the statute becomes involved in jurisdictional disputes between trade unions and industrial unions. This Act

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[10] Labor Relations Expediter (Washington: Bureau of National Affairs, 1963, p. 252.

[11] LRRM, Vol. 49, p. 58.

[12] U. S. Senate, op. cit., p. 13.

the labor trouble. The evidence on previous discussion, being the unique situation of the electric-site construction project, the second reason advanced by this critic is the interpretation of the Davis-Bacon Act. This Act

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The building trades unions favored higher standards on the Davis-Bacon Act. Testimony in these hearings revealed that the direct-hire result of applying this Act to a construction project is that nonconstruction workers performs the work.[12] In this manner, the electric unions involved in jurisdictional disputes between trade unions and industrial unions. This Act

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[10] Labor Relations Reporter (Washington: Bureau of National Affairs, 1963, p. 212.

[11] Ibid. 47, n. 34.

[12] S. Amendt, op. cit., p. 13.

was enacted in 1931, during a time when unions were relatively weak and employers dominated labor relations programs. The Act appears to have been designed to protect workers from harsh practices of employers. The minimum wage established by the Act thus provided a measure of protection for the worker. Application of the Act, however, has been a continuing problem over the years.[13] On April 25, 1961, the Secretary of Labor observed in a letter to the Secretary of the Air Force his growing concern of the problems arising from efforts to apply the Act at missile-sites.[14] An example of the form this problem may take is shown in the construction of a missile silo excavation. The construction may take place 160 or 170 feet underground. The project involves a shaft-type, mining type, or subway type excavation. Engineers and others have not determined whether this should be classified as "heavy" construction, or "building" construction. The significance of the difference in the two terms is that the building rate of pay is often higher than the heavy wage rate. Thus, in the event that Davis-Bacon application is made as evidenced by the building rate, then the labor expenses of the construction project might increase substantially.[15]

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[13] Ibid., p. 47.

[14] Cited in U. S. Senate, op. cit., p. 46.

[15] Ibid., p. 53.

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[13]Ibid., p. 57.

[14]Cited in G. C. Dawson, op. cit., p. 86.

[15]Ibid., p. 58.

As the labor problems at the missile-sites are traced through the period 1957-1961, they appear to be evidenced primarily by the previously mentioned jurisdictional, union-nonunion, and wage-scale controversies. The labor troubles occurred mainly at 19 operational missile sites and at 3 test sites. Troubles were the worst at the test locations. These 3 test sites include Patrick Air Force Base (Cape Canaveral), Vandenberg Air Force Base, and Edwards Air Force Base. Problems at Cape Canaveral were by far the greatest.

Labor troubles took various forms. First, it may be appropriate to discuss wages and hours of work--traditionally disputable subjects. Problems arising from the administration of overtime are indicative of abuse to the missle program and to the U. S. taxpayer. In some cases, where construction deadlines required one type of workers such as electricians to perform overtime work, other unions such as carpenters or plumbers demanded the right to overtime likewise. In other cases, union employees working 12-hour shifts would begin their shifts at 12 o'clock noon and at 12 o'clock midnight. This gave the workers the opportunity to get four hours regular time and eight hours overtime due to work arrangements which stipulated a regular work day as beginning at 8 o'clock a.m. and ending at 4:00 p.m. This of course resulted in high

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construction labor costs.[16] Many of the overtime abuses were carried on until the McClellan Committee hearings publicized them. Through the 1957-1961 period though, military administrators and others bearing responsibility for the missile program attempted to decrease overtime expense. But all through the problem was permeated the issue regarding intervention into labor relations between employers and employees. Corrective action finally cut down on the overtime abuse.[17]

High wage costs were a resultant of not only the previously detailed overtime situation but were also a result of high wage scales and inefficiency. Officials of the U. S. General Accounting Office made spotchecks of payrolls at Vandenberg and Cape Canaveral for the period 1958 to 1960. At Vandenberg, one contractor was revealed to have employed 52 plumbers and pipefitters, and 68 electricians. The plumbers and pipefitters, were paid wages averaging $451 weekly, highest being $733 and the lowest $402. Electricians averaged $510 weekly, highest being $670 and lowest $413. These figures were for a 50-hour week, reflecting 5 ten-hour days. At Cape Canaveral, the foreman of common laborers made $434 a week. Iron workers

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[16] Ibid., pp. 40-41.

[17] Ibid., p. 50.

controversies labor cases.[16] Many of the overtime arrests were carried on until the Socialist Democratic Party disbanded them. Through the 1917-1951 period Chengu, military expenditures and women bearing responsibility for the military program attempted to dominate overtime expense. But all through the period our government the issue regarding international labor relations between employers and employees. Overtime arrest itself was done on the premises also.[17]

High wage costs were a resultant of not only the previously detailed overtime elements but were also a result of high wage scales and inefficiency. Utilizing of the T. V. Soong Accounting Office work specimens of payroll at Nanchang and Lupe Government in the period 1938 to 1947. A Professor, who contractor was requested to have employed 32 planners and planitorers, and 65 electricians. The planners and planitorers were paid wages averaging $431 weekly, salaries being $532 and the lowest $400. Electricians averaged $312 weekly, salaries being $430 and lowest $411. These figures were for a 39-hour week, requiring 3 overhour days. At Lupe University, the foreman of common laboratory work $92 a week. Lone workers

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[16] Ibid., pp. 40-41.

[17] Ibid., p. 50.

averaged $520 weekly. Some other figures were elevator operators: $360 a week; truck driver: $324 a week; and warehouse clerk: $262 a week. All these costs were passed on to the Government and to the taxpayer by virtue of cost-plus-fixed-fee contracts.[18]

Work slow-downs were another form of labor trouble. In several instances unions demanded that factory-assembled equipment be torn down and reassembled at construction sites because such assembly should be the job of the missile-site union employees. Examples occurred whereby contractors allowed the workers to figure the time it took to disassemble and assemble and then sit idly by for the required length of time. The excuse for this from the contractors' standpoint was so that the tolerances and configuration of the equipment would not be changed by the construction site workers.[19]

Work stoppages as manifested in strikes resulted in much delay in construction work. These strikes resulted from the various causes and reasons as previously discussed. How significant were the strikes? How much time-loss resulted from them?

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[18] Ibid., pp. 125-129.

[19] Ibid., pp. 100-101.

averaged $239 weekly. Some other figures were slovenian opera-tors: $202 a week; French Alsatian: $125 a week; and Italians, slavic: $182 a week. All these costs were passed on to the consumers and to the taxpayers by virtue of cost-plus-fixed-fee contracts.[16]

Most slow-downs were another form of labor troubles. In several instances unions demanded that factory-manufactured equipment be sent down and reassembled at installation sites because such assembly should be the job of the site-labor-union employees. Examples occurred which involved the workers in digging the holes in which to place the equipment and then fill them in after the equipment was in place. The excuse for this from the contractors' standpoint was by that the difficulty and complexities of the equipment would not be changed by the construction site workers.[17]

Work stoppages or semi-limited to strikes resulted in much delay in construction work. These stoppages resulted from the various issues and problems as previously discussed. Some significant were the strikes. Now most time-lost resulted from theft.

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[16]Ibid., pp. 125-129.

[17]Ibid., pp. 100-101.

Man-days of Labor Lost

Statistical measures of time lost due to work stoppages are made in terms of the man-days of lost labor occurring as a result of work interruptions. A man-day is calculated on the basis of an 8-hour work day. This form of measurement is utilized by the U. S. Bureau of Labor Statistics and has been adopted by those authorities who have compiled missile-site labor information. Missile-site labor statistics have appeared in Congressional records and in reports of the Missile Sites Labor Commission.

The published record of the McClellan Committee hearings does not reflect any overall compilation. Figures presented by various witnesses at the hearings are reflective of occurrences within certain phases of the construction program. Those hearings statistics considered most significant pertain to two areas--work stoppages at Cape Canaveral, and a summary of man-days lost at ICBM missile sites.

The Cape Canaveral figures were compiled by the U. S. Army Corps of Engineers who administer certain construction responsibilities at the missile-sites. At Cape Canaveral, there were 103 work stoppages with 88,503 man-days lost from July 1956 through December 1960. This total includes construction, industrial, and maintenance workers.[20]

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[20] U. S. Senate, op. cit., p. 12.

Boundary of Labor Force

Statistical measures of time lost due to work stoppages are made in terms of the man-days of lost labor occasioned by a lockout or work interruption. A man-day is calculated on the basis of an 8-hour work day. This form of measurement is utilized by the U.S. Bureau of Labor Statistics and has been adopted by some authorities who have compiled mainly-site labor information. Mainly-site labor statistics are reported in Canadian-based records and in reports of the Canada Labor Relations Board.

The qualitative record of the Industrial Relations Centre does not reflect any overall complexities. Figures provided by various bureaus or the Department are relatively of contemporary action against single of the construction projects. These industry initiatives considered more significant provide to two major-work stoppages in Cape Breton, and a summary of man-days lost at ISCO mainly alone.

The Cape Breton figures were compiled by the C. I. Army Corps of Engineers who administer certain construction activities at the mainly-site. At Cape Breton, there were 103 work stoppages with 61,302 man-days lost from July 1964 through December 1968. This total includes construction, industrial, and maintenance workers.[30]

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[30]C. A. Barnes, op. cit., p. 12.

ICBM base figures were compiled by the U. S. Air Force. These pertain to totals of man-days lost and strikes at 19 operational missile-sites and at 3 test sites. The time period for the statistics included time lapse from start of construction through March 31, 1961. As revealed, there were 327 work stoppages and 162,872 man-days lost.[21]

The significance of the foregoing statistics is that they provided, in 1961, a basis for an urgent, detailed review of the problem and highlighted the need for immediate action to curb the delay being caused to the missile-site construction program.

An overall compilation of man-days lost is available in Missile Sites Labor Commission records. These reveal that during the period July 1956 through May 1961, there were 17,781,000 man-days worked and 185-478 man-days lost in the missile-site construction program due to work stoppages.[22] Charts comparing these statistics to more recent ones will be presented in Chapter V; these will illustrate in graphic detail the trends from 1956 through June 1963. In order to clarify the man-days worked versus man-days lost situation

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[21] Ibid.

[22] U. S. Missile Sites Labor Commission, Analysis of Work Stoppages on U. S. Missile Sites June 1961-May 1962, July 1962, p. 10.

lost man hours figures were compiled by the U. S. Air Force. These periods in terms of man-days lost and extrapolated as if operations were twelve-hour and of 5 days a week. The time period for the statistics included the hours from start of construction through March 31, 1951. In summary, there were 121 work stoppages and 182,412 man-days lost.[21]

The significance of the foregoing statistics is that they provided, in 1951, a basis for an urgent, accurate review of the problem and highlighted the need for immediate action to cure the delay being encountered in the missile-site construction program.

An overall comparison of man-days lost in available Missile Site Labor Commission records. These proved that during the period July 1952 through May 1953, there were 17,751,000 man-days worked and 143-473 man-days lost in the missile-site construction program due to work stoppages.[22] Charts comparing these statistics to more recent data will be presented in Chapter V; these will illustrate in graphic detail the trends from 1952 through June 1955. In order to clarify the man-days worked versus man-days lost statistics

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[21] Ibid.

[22] U. S. Missile Site Labor Commission, Monthly or Weekly Reports on U. S. Missile Site Jobs 1951-Mar 1954, July 1953, p. 10.

from July 1956 through May 1961. Table 1 has been prepared containing percentage and ratio analyses.

TABLE 1

COMPARISON OF MAN-DAYS WORKED AND MAN-DAYS LOST AT U.S. MISSILE BASES, JULY 1956 THROUGH MAY 1961[a]

Man-Days Worked	17,781,000
Man-Days Lost	185,478
Per Cent Lost to Worked	1.04
Ratio Worked to Lost	96 to 1

[a]Source: U. S. Missile Sites Labor Commission, Analysis of Work Stoppages on U. S. Missile Sites June 1961-May 1962, July 1962, p. 10.

The relationship of man-days lost to man-days worked, expressed as a percentage, is the most common measure of the effect of work stoppages.[23] The overall loss rate of all the missile-sites for the July 1956-May 1961 period was 1.04 per cent. This means that 96 man-days were worked for each man-day lost.

Comparison of Missile Sites Labor Statistics with All Industry and Contract Construction

A comparison of contract construction and all industry work stoppage data with missile-site labor statistics reveals

[23]Ibid., p. 4.

From July 1956 through May 1961, Table 1 has been prepared

containing percentage and ratio analysis.

TABLE 1

AUTOMATION OF MAN-DAYS WORKED
AND MAN-DAYS LOST AT I.B.M.
SPECIAL SHOP, JULY 1956
THROUGH MAY 1961*

Man-Days Worked	17,171,000
Man-Days Lost	80,910
Per Cent Lost to Worked	1.04
Ratio Worked to Lost	96 to 1

*Source: U. S. Wages Time Labor Constitution,
Analysis of Work Stoppages on U. S.
Special Time, June 1961-May 1962
July (ed), p. 10.

The relationship of man-days lost to man-days worked, expressed as a percentage, is the most accurate measure of the effects of work stoppages.[12] The Special Unit plan at all the installations for the July 1956-May 1961 period was 1.04 per cent. This means that 96 man-days were worked for each man-day lost.

Comparison of Twelve Other Labor Intensive
With AFL Industry and Industry Generally

A comparison of contract administration and all industry work stoppage data with substitutes time lost intensive towards

[12]Ibid., p. 4.

some significant information. Table 2 provides this comparison.

An analysis of Table 2 shows that the relationship between man-days lost and man-days worked in contract construction and all industry may be expressed as a percentage and compared with missile-site data. On the missile-sites, the overall loss rate was 1.04, meaning that 96 man-days were worked for every man-day lost. For contract construction, the corresponding percentage was .55, or 190 man-days worked for each man-day lost. For all U. S. industry, the corresponding percentage was .26, meaning 333 man-days were worked for each one lost.

The significance of these figures is that there was more labor time lost at the missile-sites relatively speaking, than in either contract construction or in U. S. industry as a whole. This points out the seriousness of labor problems affecting the missile program. If these missile-site labor problems are considered in conjunction with the characteristics of labor relations in the building trades, for instance, they stand out as significant.

It is a general characteristic of the construction and building industry that, despite size, no cohesiveness nor integration of firms, products, managerial functions, and

some significant interaction. Table 2 provides this comparison.

An analysis of Table 2 shows that the relationship between man-days lost and man-days worked in construction and all industry may be expressed in a percentage and compared with minimum-wage data. On the minimum-wage, the overall loss rate was 1.9%, meaning that 19 man-days were worked for every man-day lost. For construction construction, the corresponding percentage was .35, or 190 man-days worked for each man-day lost. For all U. S. industry, the corresponding percentage was .26, meaning 115 man-days were worked for each day lost.

The significance of these figures is that there was more labor time lost on the minimum-wage relatively speaking, than in either construction construction or in U. S. industry in a whole. This point was the seriousness of labor problems affecting the minimum programs. If these minimum-wage labor problems are considered in conjunction with the administrative of labor relations in the building trades, the increase, they stand out as significant.

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TABLE 2

COMPARISON OF LOST TIME AT MISSILE SITES WITH CONTRACT CONSTRUCTION AND ALL INDUSTRY JULY 1956-MAY 1961

	Missile Sites[a]	All Contract Construction in U.S.[b]	All Industry in U. S.[b]
Man-Days Worked	17,781,000	-	-
Man-Days Lost	185,478	20,435,000	153,200,000
Per Cent Lost to Worked	1.04	.55	.26
Ratio Worked to Lost	96 to 1	190 to 1	333 to 1

[a]Source: U. S. Missile Sites Labor Commission, Analysis of Work Stoppages on U. S. Missile Sites June 1961-May 1962, July 1962, p. 10.

[b]Source: U. S. Bureau of Labor Statistics, Monthly Labor Review; Vol. 80, 1957, pp. 566 and 569; Vol. 81, 1958, pp. 486-487; Vol. 82, 1959, pp. 637 and 640; Vol. 83, 1960, Statistical Supplement, pp. 58 and 60; Vol. 84, 1961, pp. 615 and 617; Vol. 85, 1962, pp. 662 and 666.
(NOTE: Figures for half-years 1956 and 1961 are interpolated.)

TABLE 2

COMPARISON OF LOST TIME AT MINING SITES
WITH CONTRACT CONSTRUCTION AND ALL
INDUSTRY, U.S., 1951-MID 1963

	Mining[a]	All Concerns Construction in U.S.[b]	All Industry in U.S.[c]
Man-Days Worked	17,761,000	-	-
Man-Days Lost	183,476	24,433,000	121,000,000
Per Cent Lost to Worked	1.09	.30	.20
Ratio Worked to Lost	96 to 1	180 to 1	321 to 1

[a]Source: U. S. Bureau Labor Statistics, Monthly Report of Work Stoppages in U. S. Monthly Labor Review 1951-Mar 1963, July 1963, p. 10.

[b]Source: U. S. Bureau of Labor Statistics, Monthly Labor Review Vol. 84, 1961, pp. 345 and Mon Vol. 81, 1958, pp. 436-437; Vol. 81, 1957, pp. 437 and Mon; Vol. 83, 1960, unofficial supplement, pp. 30 and 40; Vol. 84, 1961, pp. 311 and 317; Vol. 85, 1962, pp. 682 and 686.
(NOTE: Figures for half-years 1958 and 1961 are interpolated.)

production technique has been widely adopted.[24] As concerning missile-site construction it seems that a greater opportunity for achieving such cohesiveness and integration would exist. The firms participating in missile-site construction should be integrated in a higher fashion than others in the economy; they would work in an environment of similar geographical, topographical, administrative, legal, and purposeful considerations. While the products are not exactly the same, they are at least integrals of a common whole. They become entities of the same physical structures and could be considered like products in that they comprise a definite, distinguishable physical resultant. While managerial functions are not performed by the same administrators, these administrators are related by the environment in which they work. The techniques of construction at missile-sites could be related by virtue of their employment within the missile-site construction atmosphere. All this means that there should be opportunity for missile-site construction labor relations to be better organized and better coordinated than in other construction situations. Yet this is not the case. Statistics show that there was less

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[24]William Haber and Harold M. Levinson, Labor Relations and Productivity in the Building Trades (Ann Arbor: University of Michigan Bureau of Industrial Relations, 1956), p. 9.

production economics has been widely analyzed.[14] As economists wholeheartedly contribution is hence that a theoretic opportunity for achieving such consciousness and integration would exist. The first participating in realistic cooperations should be integrated in a higher function than whereas in the economy, they would work in an environment of similar geographical, cooperational, administrative, legal, and corporatel conditions. While the products are not exactly the same, they are at least imperfects of a common whole. They bound relations of the same physical resources and would be servicemen like producers in that they comprise a definite, distinguishable physical reality. While managerial functions are not performed by the same administrators, these administrators are related by the environment in which they work. The conditions of encounters or multiple-sites could be related in terms of their employment within the matrix-like organizational sphere. All this means that there should be opportunity for matrix-like constituting labor relations to be better organized and better coordinated than in other commercial situations. Yet this is not the case. Statistics show that there was less

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[14]William Faber and Donald R. Lehman, Labor Relations and Productivity in the Building Trades (Ann Arbor: University of Michigan Bureau of Industrial Relations, 1969), p. 9.

stable labor relations during 1956-1961 at missile-sites than in other contract construction.

The main reasons for these labor troubles have already been discussed. Analysis has revealed the underlying current of jurisdictional, contract negotiation, union-nonunion, and other grievance disputes that have led to the statistical record.

Summary

The problem of labor disputes at U. S. missile bases reached acute proportions by the Spring of 1961. Labor troubles resulted from the unique situation of the missile-site construction program, the joint occupancy of construction areas by industrial and craft type unions, administrative difficulties as manifested in wage-rate and overtime applications, and the fact that the need for progress often necessitated that Labor's demands be acquiesced to in the interests of maintaining productive work schedules.

During the period July 1956-May 1961 there were 96 man-days worked at missile-sites for each man-day lost due to work stoppages. In all U. S. contract construction there were 190 man-days worked for each lost. In all U. S. industry the ratio was 333 to 1. These statistics clearly show the need that existed for improvement in missile-site labor relations.

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The problem of labor disputes at V. S. missile bases reached some proportions by the Spring of 1961. Labor troubles resulted from the unique situation of the missile-site construction program, the joint movement of construction crews by industrial and craft type unions, administrative difficulties as monitored in wage-rate and overtime application, and the fact that the need for progress often necessitated that labor's demands be acquiesced to in the interests of maintaining productive work schedules.

During the period July 1959-May 1961 there were 94 man-days worked at missile-sites for each man-day lost due to work stoppages. In all U. S. contract construction there were 180 man-days worked for each loss. In all U. S. industry the ratio was 370 to 1. These statistics clearly show the need that existed for improvement in missile-site labor relations.

Some means were evidently necessary for attaining a better record of labor stability. The requirement that improvement be affected immediately was evident. Clearly the labor troubles were affecting progress in missile-site construction. The sites were designed to aid in maintaining national security. It was imperative that their completion be achieved quickly and efficiently.

The position of Labor during the 1950's was improved considerably and unions were able as never before to demand shares of business profits. The demands of Labor had not yet been proven as detrimental to national security. However, increasing concern over labor disputes at missile-sites began to clarify labor abuses that evidently affected the interests of the nation. Here was a definite and recognizable need for action to curtail Labor's activities.

What method seemed appropriate for negotiating labor peace in this area of conflict between Labor and Management that was evidently affecting national security? Previous analysis has demonstrated that Federal Government participation in labor-management relations was an historically acceptable method. Could this be employed in the missile program? What issues surround Government intervention in this respect? The following chapter will set forth these considerations.

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That earlier broad principles for guaranteeing labor
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in labor-management relations was no historically acceptable
method. Could this be employed in the crucial regional
labor issues requiring government intervention in this respect
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CHAPTER IV

THE ISSUE OF FEDERAL GOVERNMENT INTERVENTION AS A THIRD-PARTY TO LABOR DISPUTES

Introduction

The previous chapter detailed a substantial record of labor problems at U. S. missile bases. Through comparative analysis with the effects of labor disputes in other areas of the economy, it was demonstrated that missile-site labor troubles were of alarming proportion. Clearly, such a combination of results, if allowed to progress, would seriously impede the effectiveness of the missile program as a means of enhancing national security.

As these problems became generally recognized as having detrimental effect upon the nation's missile program, what were the attitudes of Labor, Management, and the Federal Government? This chapter will explore these through an analysis of the overall issue surrounding Government intervention as a third-party to labor disputes.

Government and the Public Interest

The general acceptability of Government participation in labor-management relations has already been established. It has been shown that Government intervention is to be expected when labor dispute problems have detrimental effect upon national security. Therefore, when missile-site labor troubles

Conclusion

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Government and the Public Interest

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became a problem of national concern, some form of Government action designed to curb the abuses was expected. The issue surrounding Government intervention, then, becomes a matter of establishing "rational governmental policy"[1] rather than the propriety of participation.

To provide additional perspective in considering the separate views of Labor, Management, and Government regarding Government intervention, it is appropriate to point out two significant considerations. First of all, the matter must be discussed with the public interest in mind. This is unavoidable, for as Hanslowe states, "meaningful discussion . . . cannot avoid examination of the public interest in general."[2]

Secondly, participation or intervention by the Federal Government must be recognized as designed to supplement, not to supplant, the bargaining relationship between employees and their employer. Hildebrand has called this "trilateralism."[3] The term fits well the situation whereby the parties are considered to seek superior results to those attainable by Labor and Management themselves.

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[1]This reasoning is developed in detail by William Gomberg in "Government Participation in Union Regulation and Collective Bargaining," Labor Law Journal, Vol. 13, November 1962, pp.921-952.

[2]K. L. Hanslowe, "Labor Law and the Public Interest," Journal of Public Law, Vol. 11, Spring 1962, p. 27.

[3]G. H. Hildebrand, "Use of Tripartite Bodies to Supplement Collective Bargaining," Labor Law Journal, Vol.12, July 1961,p.656.

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It must be understood that questions regarding governmental policy in missile-site labor matters are wrapped up in more comprehensive considerations relating to tripartite labor relations in general. This larger question relates a great deal to collective bargaining as a social institution and to the entire scope of labor-management relations; decisions emanating from these relationships affect the very core of the public versus private dilemma--the dilemma of matching public and private interests within the framework of a democratic society.

Furthermore, problems created by changing technology cannot be separated from the analysis. The fact that Government has become so involved in the processes of collective bargaining reflects the many problems with which the institution of collective bargaining has become concerned. To amplify this:

> The intensity of the race for improved technology poses an increasingly serious challenge to collective bargaining to resolve labor-management conflicts in a cooperative and positive fashion. Collective bargaining is on trial. The nature of technological change carries with it the threat of great labor strife as well as the opportunity for great advance in labor-management cooperation. The survival of collective bargaining as an expression of the intent of free men to work out their problems in democratic fashion depends upon the way collective bargaining meets with this new challenge.[4]

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[4]John W. McConnell, Dean of the New York State School of Industrial and Labor Relations, Cornell University.

It must be understood that questions regarding governmental policy in administrative labor relations are engaged up in more comprehensive considerations relating to religious labor relations in general. This larger question relates a great deal to collective bargaining as a social institution and to the active area of labor-management relations; decisions emerging from these relationships affect the very core of the public versus private dilemma--the fitness of matching public and private interests within the framework of a democratic society.

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[4]John T. Dunlop, Dean of the Harvard Graduate School of Industrial and Labor Relations, Cornell University.

When Labor and Management are considered as the only parties to collective bargaining practices, then the results of their actions must conform to the public interest in general, in order to be acceptable to the society. If not acceptable, then it is the responsibility of the Government to act in behalf of the public interest. Any tendency toward more and more governmental participation in labor relations reflects the inability of Labor and Management to serve their own interests simultaneously with societal ones.

However, the mere participation of Government in labor matters does not ensure successful prosecution of national interests.[5] Again there is the difficulty of matching political, economic, and moral considerations among Labor, Management, and the Federal Government whose position may possibly reflect bias. The difficulty of achieving absolute impartiality is a basic factor to be considered.

Where, then, does Government stand in relation to missile-site labor disputes? The answer is that the Federal Government stands alongside the field of labor controversy and watches the development of labor troubles. As long as the troubles effect only the interests of Labor and Management and have no ill effect upon societal considerations, then no basis for

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Excerpted from a panel discussion, Sixth Annual Convention Proceedings, National Association of State Labor Relations Agencies. Cited in Labor Law Journal, Vol. 13, November 1962, p. 938.

[5]Weaknesses in the present system are examined by J. A. Raffaele; "Needed: A Fourth Party in Industrial Relations," Labor Law Journal, Vol.13, March 1962, pp. 230-244.

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Excerpted from a panel discussion, Sixth Annual Conversation Programme, National Association of State Labor Relations Agencies, cited in Labor Law Journal, Vol. 13, November 1962, p. 934.

[5] Conferences in the present system are examined by A. A. Sullivan, "Needed: A Fourth Party in Industrial Relations," Labor Law Journal, Vol. 13, March 1962, pp. 170-244.

governmental intervention exists. But when labor disputes wrapped up in the overall tripartite dilemma evidence detrimental tendencies, then some action becomes necessary.

Alternatives

Obviously there must exist certain alternatives available to Labor, Management, and Government as pertaining to these labor problems. One way to consider Labor and Management alternatives is to look at both as having an opportunity to take two courses of action. One is to bargain collectively in pursuit of resolutions, while continuing to meet missile-site construction responsibilities. The other alternative would be not to bargain about the issues. The results of the second alternative in the case of Labor, for example, would be work stoppages, work slow-downs, and the like. This is the course followed, and the result was the harm being brought to national security as the problem took on greater import.

On the other hand, Government, by virtue of the failure of Labor and Management to contain the effects of labor controversies, stands appropriately ready to intervene. What alternatives are available in this case? Several alternatives may be considered. These may be comprised of strike prohibition through the enactment of Federal legislation, compulsory

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arbitration, governmental seizure of construction operations, vigorous enforcement of existing laws, economic persuasion, or more efficient governmental administration.[6] How well would any of these alternatives serve the best interests of the American public?

The first alternative, strike prohibition, would not conform with the ideals of democratic labor-management relations. The use of the strike as an economic force in collective bargaining is a well established principle in American labor relations. Federal legislation of this type would be vigorously opposed by Labor and by many other areas of society. Arguments against such would stress the loss of freedom of choice for employees in dispensing labor services. Strike prohibition would not, after all, alleviate the many and varied troubles occurring in missile-site construction. Disputes would still occur. The prohibition of strikes would merely serve to aggravate the attitudes of workers, and although officially the construction work might continue in progress, no assurance could be provided for the preservation of quality and best speed commensurate with such.

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[6]John B. Abercrombie, "Labor Relations Under AEC and NASA Programs," Labor Law Journal, Vol. 14, January 1963, p. 104.

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[6]John A. Shoemaker, "Labor Relations Under AEC and NASA Programs," Labor Law Journal, Vol. 14, January 1963, p. 104.

Compulsory arbitration as a second alternative would still not serve to assure progress in resolving missile-site labor disputes. Labor and Management representatives would not be organized in any common, objective form of relationship whereby overall goals and working plans could be formulated. A large measure of the problem reflects varied interests. The disputes as experienced were so numerous that little aid would be afforded by the time-consuming processes of compulsory arbitration.

What about government seizure of construction operations? The railroads were operated by the Federal Government during World War I. Could Government perform similarly in the case of the missile-site problem? No, this would not be a feasible solution. The Federal Government would be acting out of context with established principles of economic, industrial, and societal working relationships. Free enterprise would not progress in an atmosphere of Government domination such as would result from governmental control of construction. Also, it would not be practical from administrative and economical standpoints for the Government to construct the sites in this manner.

Could vigorous enforcement of existing laws alleviate the problem? No, the provisions of the Taft-Hartley Act, for

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instance, as pertaining to national emergency disputes would not serve the purposes required in ameliorating missile-site labor troubles. The machinery of existing laws would be inadequate in reaching the personal, human elements imbedded in the construction labor problems.

Could economic persuasion by the Federal Government attain the desired results? No, this alternative would not be feasible either. No amount of economic leverage in contract administration or other form of action could reach the core of the troubled relations between the employees engaged in missile-site construction and their employers.

Efficient governmental administration might improve organizational relationships, work scheduling, cost analyses, and the like to a measurable extent. However, these improvements would not reach the source of labor controversies.

What is Government to do? There is an alternative not yet suggested. This is one of participation in labor relations activities through tripartite action similar to previous experiences. The establishment of some form of Commission or Board comprised of Labor, Management, and public representatives to administer to labor dispute troubles might be in order. In this way, through Government sponsorship, the interests of private individuals from both Labor and Management areas, as

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well as the general public interest, could be ascertained as having been considered in any particular course of ameliorative action. This alternative was the one chosen. The form of approach taken by the Federal Government is reflected in the establishment of the Missile Sites Labor Commission by virtue of an Executive Order issued by the President of the United States.

However, in order to clarify the position of Labor, Management, and Government concerning the issue of tripartite action in labor relations, it is appropriate to set forth separate views representing each in the matter. A discussion of these views in company with a review of national labor policy and recent attempts toward achieving industrial peace will aid substantially in understanding the atmosphere of cooperation experienced in the activities of the Missile Sites Labor Commission.

National Labor Policy

What is the basic governmental policy in labor relations? An understanding of this provides a measure of perspective and orientation to the issue of tripartitism in general. Fundamentally, the policy of the Federal Government is "that of assuring to every worker the right to join unions of his

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choosing and to foster the collective bargaining process."[7] Of course, the right of the individual worker to join a union of choice is qualified by the application of majority desires in any individual group of workers voting on union representation. But overall, the opportunity to bargain collectively with employers has become firmly established as basic policy in American labor relations.

As the effects of private actions by employees and employers in the bargaining process have grown wider in scope and associated with the general interests of the public, governmental interest has grown in labor relations in order that the best interests of society may be served.

President's Advisory Committee on Labor-Management Policy

On February 16, 1961, President Kennedy issued Executive Order No. 10918 establishing the President's Advisory Committee on Labor-Management Policy. Committee members were appointed representing the public at large, Labor, and Management, as well as the Secretary of Labor and the Secretary of Commerce.

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[7]Joseph P. Goldberg, "The Changing Role of Government in Labor Relations," Annals of the American Academy of Political and Social Science, Vol. 333, January 1961, p. 35.

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[7] Joseph P. Goldberg, "The Changing Role of Government in Labor Relations," Annals of the American Academy of Political and Social Science, Vol. 321, January 1961, p. 35.

This committee reflects an attempt to achieve greater cooperation, understanding, and free, responsible action in collective bargaining and labor-management relations in general. It is significant that this committee has promulgated the unanimous view that collective bargaining must be responsive to the public interest. Additionally, the Committee is unanimous in the view that forms of third-party assistance in collective bargaining and other labor relation activities can be used to good advantage. Expert assistance by third parties not only aids in factfinding, but helps in the analysis of particular problems, including actions of private mediation and the offering of recommendations on crucial issues.[8] Third-party assistance in recognized as supplementary procedure only, however, and is not construed to be a primary method of dispute adjudication. The central emphasis is placed "on the development of bilateral relationships based on sufficient maturity, sophistication, and judgment to enable the parties to work out solutions appropriate to their particular circumstances. Responsibility flourishes best in an atmosphere of self-reliance."[9]

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[8]President's Advisory Committee on Labor-Management Policy, Free and Responsible Collective Bargaining and Indus-Peace: A Report to the President, May 1, 1962, pp. 1-2.

[9]Ibid., p. 4.

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[8]"President's Advisory Committee on Labor-Management Policy," Free and Responsible Collective Bargaining and Industrial Peace: A Report to the President, Apr 1, 1961, pp. 1-2.

[9]Ibid., p. 8.

The recognition that industry and labor must bear greater social responsibility in present-day labor relations, and the need for imaginative, improved, voluntary, and reasonable actions of third-party assistance is considered highly significant in relation to labor problems that have been experienced at U.S. missile bases.

Views on Government's Role

Representative views from Labor and Management alike strongly oppose the idea of compulsory arbitration in labor disputes. An assortment of techniques might be advanced as to the form that compulsory arbitration might take. A Labor spokesman states that "a system of compulsory arbitration would destroy collective bargaining."[10] A further Labor view is that more consideration to human values is required than would result from governmental dictation of wages and working conditions such as might result from a compulsory arbitration.[11]

Management representatives believe that the significant choice to be made lies between alternate degrees and forms of

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[10]Peter Henle, "A Union Viewpoint," Annals of the American Academy of Political and Social Science, Vol. 333, January 1961, p. 14.

[11]Harry Van Arsdale, "The Role of Government in Collective Bargaining Negotiations," Labor Law Journal, Vol. 13, November 1962, p. 929.

The recognition that industry and labor must bear greater social responsibility is present-day labor relations, and the need for imaginative, informed, voluntary, and reasonable application of disciplinary assistance is considered highly significant in relation to labor problems that have been experienced in U.S. mining areas.

Views on Government's Role

Representative views from labor and management alike accurately express the idea of compulsory arbitration is labor dispute. An awareness of technical aspect in advanced as the form that compulsory arbitration might take, a labor spokesman states that "a system of compulsory arbitration would destroy collective bargaining."[10] A leading labor view is that more consideration be given values to provided than would result from governmental direction of wages and working conditions such as might result from a compulsory arbitration.[11]

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[11]Harry Van Arkadie, "The Role of Government in Collective Bargaining Negotiations," Labor Law Journal, Vol. 12, December 1961, p. 785.

government regulation; however, in the interests of an efficiently operating free enterprise system, top-level tripartite meetings of Labor, Management, and public representatives must be utilized with caution.[13]

The consensus appears to be that Government intervention bespeaking definite provision for arriving at decisions in labor dispute matters would be inappropriate. In essense, neither Labor nor Management is willing to go on record as agreeing to the concept that they must reach final accord, through bargaining, with the opposition party to labor disputes. Each would reserve the opportunity to decide on acceptable terms.

The incompatibility of required conformance to terms posed by either negotiating party, or a third-party, with the opportunity of choice in a competitive free enterprise economy, is considered to constitute the main concern of Labor and Management.

How do Government representatives stand in relation to the overall issue? The consensus here is that the right of Government is not a license for widespread intervention,[14] but

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[12]William G. Caples, "A Management Viewpoint," Annals of the American Academy of Political and Social Science, Vol. 333, January 1961, p. 17.

[13]Conrad R. Cooper, "The National Interest in Collective Bargaining," Labor Law Journal, Vol. 13, November 1962, p. 932.

[14]W. E. Simkin, "Third Seat at the Bargaining Table: A Government Point of View," Labor Law Journal, Vol. 14, January 1963, p. 9.

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[12]William G. Caples, "A Management Viewpoint," Annals of the American Academy of Political and Social Science, Vol. 313, January 1961, p. 17.

[13]Conrad E. Cooper, "The Rational Business in Collective Bargaining," Labor Law Journal, Vol. 12, November 1961, p. 932.

[14]W. E. Simkin, "Third Seat at the Bargaining Table: A Government Point of View," Labor Law Journal, Vol. 14, January 1963, p. 9.

is instead based on the need for action in the public interest.[15]

The proper role of Government, as conveyed by the pattern of consensus among Labor, Management, and Government representatives, is partly one of providing definite forms of third-party assistance. Therefore, there is no denial that tripartite action serves the best interest of the general public.

Summary

In the free enterprise society that comprises American ideals of democratic opportunities, there is a need for Labor and Management to have the opportunity of working out their problems in mutual confidence. This opportunity is provided in the processes of collective bargaining. Collective bargaining includes not only the negotiation of labor contracts, but also provides for the review, consideration, and adjudication of labor disputes as they occur. Labor and Management in the free enterprise system are afforded the means by which they may serve their individual interests. The problem of aligning these private interests with public interests results in tripartite action in labor-management relations due to the

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[15]James J. Reynolds, "The Role of Government in Collective Bargaining Negotiations: The Public Interest," Labor Law Journal, Vol. 13, November 1962, p. 928.

is indeed based on the need for action in the public interest.[1]

The proper role of Government, as envisioned by the pioneers of commerce among Labor, management, and Government representatives, is merely one of providing definite force of third-party limitations. Therefore, there is no doubt that tripartite action serves the best interest of the general public.

Summary

In the free enterprise society that comprises American ideals of democratic opportunities, there is a need for labor and management to have the opportunity of working out their problems in mutual conferences. This opportunity is provided in the procedure of collective bargaining. Collective bargaining includes not only the negotiations of labor contracts, but also provides for the review, conciliation, and adjudication of labor disputes as they occur. Labor and management in the free enterprise system are afforded the means by which they may serve their individual interests. The problem of aligning these private interests with public interests results in tripartite action in labor-management relations due to the

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[1]James J. Reynolds, "The Role of Government in Collective Bargaining Negotiations: The Public Interest," Labor Law Journal, Vol. 12, November 1961, p. 923.

Federal Government's responsibility for serving the best interests of society.

Labor and Management agree that Government intervention as a third-party to labor disputes is necessary and helpful. The application of method by which aid should be afforded, however, is controversial. Nevertheless consensus has been garnered in some areas of labor conflict pertaining to method in tripartite action. Such consensus is illustrated in the method of solution applied toward labor problems at U. S. missile bases.

The establishment of a Missile Sites Labor Commission is a definite form of tripartite action. The requirement that tripartite action be taken has been clearly demonstrated. The form has been defined, but not analyzed. This will be accomplished in the following chapter, after which conclusions will be set forth regarding the issue of Federal Government intervention as a third-party to labor disputes, based on the analysis of missile-site labor experiences.

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The establishment of a strategic State labor commission is a definite move of preventive action. The requirement that religiously action be taken has been clearly demonstrated. The form has been defined, and now analyzed. This will be accomplished in the following chapter, after which conclusions will be put forth regarding the issue of Federal Government intervention as a third-party to labor disputes, based on the analysis of mainstreams labor movements.

CHAPTER V

THE MISSILE SITES LABOR COMMISSION

Introduction

The record of labor problems occurring at U. S. missile bases has been discussed in relation to the issue of tripartitism in general. This chapter will detail specific governmental action designed and implemented to resolve the labor disputes having detrimental effect on the nation's missile-site construction program. This analysis will illustrate the effectiveness and the value of Government participation in labor-management relations. Included in this analysis will be the establishment, purpose, membership, adjustment machinery, policies, rulings and decisions, and the record of improvement in missile-site labor relations attained since the Commission was established.

Establishment

As a result of hearings on missile-site labor disputes before the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, the Secretary of Labor held a series of meetings in the Spring of 1961 with representatives of Labor, Management, and the public, directed toward finding a solution to labor problems at U. S. missile bases.[1]

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[1]U. S. Missile Sites Labor Commission, United for America: A Report to the President of the United States, May 26, 1962, p. 2.

Introduction

The history of labor problems concerning an U. S. missile base has been discussed in relation to the issue of tripartitism in general. This chapter will detail specific governmental actions designed and implemented to resolve the labor disputes having detrimental effect on the nation's missile-site construction program. This analysis will illustrate the effectiveness and the value of Government participation in labor-management relations. Included in this analysis will be the establishment, purpose, membership, adjudication machinery, policies, rulings and decisions, and the record of improvement in missile-site labor relations attained since the Commission was established.

Establishment

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[1] U. S. Missile Sites Labor Commission, Report for Secretary of Labor to the President of the United States, May 31, 1963,

Primarily as a result of these meetings,[2] a "no-strike, no-lockout" pledge was made by Labor and Management leaders whose employees were involved in a missile-site construction. This pledge was a voluntary one. It reflected a geniune concern on the part of union and company leaders regarding labor disputes at the missile bases.

Despite the pledge, however, strikes continued in the missile-site construction program. The Secretary of Labor set up a three-man team to try to resolve the disputes. In addition, the Federal Mediation and Conciliation Service "put its men on a 24-hour alert to intervene instantly in any labor disputes at the missile bases."[3] These measures are indicative of the developing concern of the Federal Government for missile-site labor troubles. In analyzing this increased governmental concern, it is noted that definite action began to be taken soon after the Kennedy Administration took office in January 1961. Although congressional investigation of the missile-site labor disputes was in progress prior to this, the fact is that President Kennedy himself demanded more speed

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[2] Ibid.

[3] "Featherbedding on the Pads," Time, Vol. 76, No. 19, May 5, 1961, p. 79.

Primarily as a result of these meetings,[2] a "no-strike, no-lockout" pledge was made by labor and management leaders whose employees were involved in a missile-site construction. This pledge was a voluntary one. It reflected a genuine concern on the part of union and company leaders regarding labor disputes at the missile bases.

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in the missile base construction program soon after his inauguration.[4] This interest of the new Administration, combined with the record of missile-site labor problems detailed during the McClellan Committee hearings and the increased concern of the American public over the issue, led to the issuance of Executive Order No. 10946 on May 26, 1961. The order established a program for resolving labor disputes at missile and space sites.

The establishment of this Commission illustrates the progression of governmental interest and participation in labor-management relations. Previous note has been made of the President's Advisory Committee on Labor-Management Policy which was established on February 16, 1961. Although the establishment of the Missile Sites Labor Commission cannot be said to have stemmed directly from the Advisory Committee, it should be noted that governmental interest in labor matters through the Advisory Committee's tripartite form of Labor, Management, and public representatives do evidence a certain precedent. The Missile Sites Labor Commission, established for the specific purpose of developing policies, procedures, and methods of adjustment for resolving missile-site labor disputes,

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[4]"Back of the Delay in U. S. Missile Bases," U. S. News and World Report, Vol. 50, No. 18, May 1, 1961, p. 61.

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[6]"Work at the Cape in U. S. Missile Range," U. S. News and World Report, Vol. 50, No. 18, May 1, 1961, p. 12.

was also composed of representatives from these three areas acting under Government sponsorship.

The membership of the Missile Sites Labor Commission is composed of: the Secretary of Labor, designated as Chairman; the Director of the Federal Mediation and Conciliation Service, designated as Vice-chairman; three public representatives drawn from Labor; and three from Management, as designated by the President.

In this manner, workers and employers alike are afforded the opportunity to attend to private interests, while representatives of the general public bring into consideration the interests of American society as a whole. By virtue of the membership of the Secretary of Labor and the Director of the Federal Mediation and Conciliation Service, the Federal Government also fulfills its responsibility for acting in the overall interest of the public which includes Labor and Management.

Adjustment Machinery

The Missile Sites Labor Commission has several procedures at its disposal in dealing with missile-site labor disputes:

> At each missile or space site, the Commission will set up an on the spot committee consisting of representatives of manufacturers, construction firms, the international unions involved, the contracting agencies, and the Federal Mediation and Conciliation

was also composed of representatives from three trade unions meeting under Government sponsorship.

The membership of the Israeli Sixth Labor Commission is composed of: the Secretary of Labor, designated as Chairman; the Director of the Federal Mediation and Conciliation Service, designated as Vice-chairman; three public representatives drawn from labor; and three from management, as designated by the President.

In this manner, workers and employers alike are afforded the opportunity to assist in private bargaining, while representatives of the general public bring into consideration the interests of American society as a whole. By virtue of the membership of the Secretary of Labor and the Director of the Federal Mediation and Conciliation Service, the Federal Government also fulfills its responsibility for action in the overall interest of the public which includes labor and management.

Mediation Machinery

The Israeli Sixth Labor Commission has several procedures at its disposal in dealing with mediation-type labor disputes:

> If each itself or upon mediation, the Commission will set up an ad hoc special committee consisting of representatives of management, construction firms, the international unions involved, the contracting agencies, and the Federal Mediation and Conciliation

> Service. The job of these committees is to anticipate and solve problems before they become acute.
>
> Existing voluntary dispute-adjustment machinery will be used, where effective....
>
> Existing legal procedures also will continue to be used and will be augmented. A section of the executive order asks the NLRB and its General Counsel to set up 'accelerated procedures for dealing with matters at missile and space sites within the Board's jurisdiction, in accordance with the law.'
>
> Disputes not disposed of by these procedures will be handled by special panels, composed of Commission members or others.... The panels will hold hearings and may make findings of fact, recommend a settlement, get agreement for final and binding arbitration, and take such other action as the Commission may order.[5]

Because of its voluntary and persuasive adjustment methods, the Missile Sites Labor Commission is unique. The tripartite labor relations committees at local levels were established for the specific purpose of solving labor problems before they develop into serious disputes. These local committees utilize the concepts of voluntarism and friendly persuasion to the greatest possible extent. These concepts are not unique; but the method by which they are employed are unique. In this manner, the local committees act as sounding boards for innumerable gripes and grievances; thereby providing an opportunity for discussion of these within an atmosphere of good will. The availability of such opportunities to express views and

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[5] LRRM, Vol. 48, p. 110.

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> Disputes not disposed of by these procedures will be handled by special panels, composed of conciliation members or others.... The panels will hold hearings and may make findings of fact, recommend a settlement, get agreement for final and binding arbitration, and take some other action as the conciliation may order.[5]

Because of its voluntary and persuasive adjustment methods, the Mediation Board takes immediation in nature. The Eisenhower labor relations committees at local levels were established for the overall purpose of solving labor problems before they develop into serious disputes. These local committees utilize the services of volunteers and directly persuasion to the greatest possible extent. These committees are not national but the manner by which they are employed are unique. In this manner, the local committees act as counseling bureau for immediable grievances and grievances thereby providing an opportunity for discussion of these within an atmosphere of good will. The availability of such opportunities to express views and

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[5]Ibid., pp. 40, n. 110.

opinions regarding working relationships conforms to traditional principles of industrial human relations programs.

As previously noted, the Commission has special subdivisions, or panels, which apply toward solution of special problems. These are comprised of special, individual committees of three general types. First there is the Construction Committee. Panels of this type are concerned with matters related to missile-site construction work. Secondly, there is the Industrial Committee. Industrial panels handle problems with manufacturers of missiles and industrial unions. The third type of Committee has public members dealing with matters not clearly within the jurisdiction of Construction and Industrial committees. When labor problems are not resolved by the local committee, referral is made to the Construction, Industrial, and Public committees, thence to the Commission as necessary. At the Commission level, voluntary methods are attempted again prior to the utilization of directives or orders for dispute settlement. The Commission, in turn, cooperates with other Federal agencies in making its work effective. These include "the Federal Mediation and Conciliation Service, the National Labor Relations Board, the Department of Labor, the Department of Defense, the National Aeronautics and Space

explicit supporting existing relationships conducive to consensual principles of industrial human relations programs.

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Administration, and the National Joint Board for the Settlement of Jurisdictional Disputes in the Construction Industry."[6]

Policies

Two principal policies have been developed by the Missile Sites Labor Commission. The Commission has promulgated these as recommended principles by which negotiators should be guided. These policies pertain to two main areas: Industrial Policy and Construction Policy. They apply specifically as "guides in implementing the economical operations provision of the Executive order."[7]

The Commission's industrial labor policy recommends to parties to labor disputes that agreements applicable to industrial activity at U. S. missile bases follow these guides:

> Wage rates, fringe benefits, and other conditions of employment should not be negotiated which are inconsistent with standards generally applicable in similar situations . . . or unreasonable under all the circumstances.
>
> In establishing wages, benefits, and working conditions at the sites, recognition should be given to national standards and policies established to cover industrial activity phases at missile sites.
>
> . . . The orderly manning of sites by skilled and trained workmen is a significant factor affecting economical and efficient operations . . . This may require transfer of industrial workers from the home

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[6]U. S. Missile Sites Labor Commission, loc. cit.

[7]Ibid.

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Policies

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[6]U. S. Atlantic Sixes Labor Commission, loc. cit.

[7]Ibid.

> manufacturing plants to a missile site or from one missile site to another. Procedures and conditions, not inconsistent with standards generally applicable, or not unreasonable under all the circumstances, will be regarded. . . as reasonable.[8]

The Commission has set forth the following guides:

> Wage rates, fringe benefits, and other conditions of employment should not be negotiated which establish more costly standards on missile and space site construction than are made applicable to other construction activity in similar circumstances.
>
> The introduction of new conditions in an area with sites for any craft should be judged against the standards of practice in the region and construction industry generally. It is recognized that some areas may require somewhat higher wages, benefits, and conditions than have prevailed in the past to attract sufficient manpower into an area to perform the missile and space site work.[9]

The Missile Sites Labor Commission has also promulgated certain recommendations pertaining to the manning of missile-site construction projects that bear policy considerations. These are as follows:

> The Commission urges that the international unions continue to give every possible assistance to requests by contractors to man construction sites particularly in isolated localities.
>
> The Commission urges the Defense Department and NASA to review the present schedules of overtime hours on bases. The differences in scheduled overtime on sites in the same region, at times in the jurisdiction of the same local union or labor

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[8] LRRM, Vol. 49, p. 101.

[9] Ibid.

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[6] Idem, Vol. 49, p. 101.

[7] Ibid.

> supply area, is a factor making difficult the recruitment of manpower and contributes to high turnover. While uniformity is understandably difficult, sites in the same region should normally be worked the same schedules.[10]

What is the significance of the foregoing policy statements? The significance seems to be that these policies constitute procedures, or bases upon which individual labor disputes could be analyzed and adjudicated. These policies, procedures, or foundation for decision-making, whatever they are considered to constitute, do provide definite guidelines for the local labor relations committees at the missile-site construction projects. Furthermore, and perhaps most important, they serve as preventive measures. These policies submit to union and company leadership a clear-cut guide for designing employee work plans. Thus, when Labor and Management have prior knowledge of wage levels, fringe benefits, working conditions, and the basic guides by which each of these is to be determined, then this contributes substantially to chances for labor peace and the presence of good will between employee and employer representatives.

Rulings and Decisions

Three significant rulings or decisions of the Missile Sites Labor Commission occurred soon after the Commission's establishment. The first decision of July 21, 1961, involved

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[10] *Ibid.*

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Unions and Decisions

There significant rulings or decisions at the Alaska Pipeline Labor Commission occurred even after the Commission's establishment. The first decision of July 21, 1971, involved

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[10] Ibid.

Operating Engineers versus International Brotherhood of Electrical Workers (IBEW). This case concerned a jurisdictional dispute over the installation of underground cable at Walker Air Force Base, Roswell, New Mexico. The Commission ruled:

> Disputed work operations involved in installation of underground cable at missile base are inter-related and should be performed on composite basis, though not necessarily with equal division of men, by members of . . . Operating Engineers and . . . Electrical Workers, in accordance with Commission determination as to which jobs are within jurisdiction of each union.[11]

The second and third rulings, August 23, 1961, concerned collective bargaining agreements regarding hazard pay and wage rates. The former was in reference to the National Electrical Contractors Association versus IBEW at Vandenberg Air Force Base. The latter concerned wage rates in reference to Associated General Contractors versus International Hod Carriers at Forbes Air Force Base.

Hazard pay ruling--

> Contract provision granting electrical workers at missile site premium pay for time spent working at heights under hazardous conditions is reasonable in that it involves no pyramiding of premium pay, and is limited in hours and men to actual exposure to hazard, and is not applicable once hazardous conditions are eliminated.[12]

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[11] Labor Arbitration Reports (Washington: Bureau of National Affairs, 1962), Vol. 36, p. 1285.

[12] Ibid, Vol. 37, p. 1.

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[11] <u>Labor Arbitration Reports</u> (Washington: Bureau of National Affairs, 1962), Vol. 36, p. 1265.

[12] <u>Ibid.</u>, Vol. 37, p. 1.

Wage rate ruling--

> Area collective bargaining contract's provision setting higher wage rates in one of four counties covered by contract, but requiring higher rate in all counties for 'all building work contracted by an agency of the Federal Government', is discriminatory to missile site construction, there being no current problem in manning base in question.[13]

The significance of the three rulings is determined to be as follows: (1) July 21, 1961--This ruling occurred just two months after the Missile Sites Labor Commission was established. The Commission acted quickly in determining the problem and developing means for resolving the dispute. The dispute was held to involve operations that were vital to the missile program. Voluntary procedures between disputants had not solved the problem. The solution recommended by the Commission was adopted. The case served to instill confidence in the ability of the Missile Sites Labor Commission to fulfill its mission. (2) August 23, 1961--the two cases ruled upon this date had two results. First, the hazard pay ruling and its "reasonableness" feature served to underwrite further the fairness and the comprehensive analysis that the Commission was willing to undertake. Secondly, the wage rate ruling and its "discriminatory" feature made it clear to Labor, Management, Government, and the public that

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[13] Ibid.

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[1]Ibid.

the Commission was not hesitant to act firmly and decisively against practices detrimental to the missile program. In this manner, respect was accorded the Missile Sites Labor Commission.

The Record of Labor Disputes Since Establishment of the Commission

The Missile Sites Labor Commission has provided two authoritative reports on labor disputes at U. S. missile bases for the period June 1961 through May 1962. The first of these constitutes the first annual report of the Commission's activities.[14] The second report goes into greater detail in an analysis of work stoppages occurring in the missile-site construction program during the first year of the Commission.[15] The data for the second report was compiled by the Missile Sites Labor Commission from field reports of the Federal Mediation and Conciliation Service and the U. S. Air Force, in addition to the files of the Commission.

In the letter of transmittal forwarding the first annual report to the President, the Secretary of Labor made particular note of the cooperation of Labor, Management, and Government

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[14]U. S. Missile Sites Labor Commission, United for America: A Report to the President, May 26, 1962.

[15]U. S. Missile Sites Labor Commission, Analysis of Work Stoppages on U. S. Missile Sites June 1961-May 1962, July 1962.

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[14]U. S. Missile Sites Labor Commission, United for Service A Report to the President, May 26, 1962.

[15]U. S. Missile Sites Labor Commission, Analysis of Work Stoppages on U. S. Missile Sites June 1961-May 1962, July 1962.

at all levels of missile-site construction activity. It was reported that the Commission was highly successful in decreasing the man-days of labor lost due to labor disputes and in achieving reductions of costs at the missile bases. During the Commission's first year, as detailed by the Secretary of Labor, the lost time experienced was reduced to an "all time low of 1 man-day lost for each 1,100 man-days worked."[16]

This 1100 to 1 ratio of man-days worked to man-days lost during the first year of the Missile Sites Labor Commission, May 1961 to June 1962, may be compared to the 96 to 1 ratio of the four previous years, July 1956 to June 1961. This signifies a substantial improvement.

Table 3 shows the record of work stoppages by months on missile bases during the twelve month period between June 1961 and May 1962. There were 160 work stoppages during this period. The mean number per month was 13.3. An inspection of Table 3 reveals that during the two months November 1961 and May 1962, work stoppages were below the mean by a substantial margin; these were 8 and 5, respectively. During September 1961, January 1962, and February 1962, work stoppages were above the mean; namely, 18, 23, and 19. The best record was

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[16]Letter from Arthur J. Goldberg, Secretary of Labor and Chairman of the Missile Sites Labor Commission, to the President of the United States, May 26, 1962.

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[16]Letter from Arthur J. Goldberg, Secretary of Labor and Chairman of the Missile Sites Labor Committee, to the President of the United States, May 24, 1962.

TABLE 3

WORK STOPPAGES BY MONTHS ON MISSILE SITES
JUNE 1961 - MAY 1962[a]

Month	Number
June	11
July	11
August	14
September	18
October	13
November	8
December	12
January	23
February	19
March	14
April	12
May	5
Total	160

Mean = 13.3

[a]Source: U. S. Missile Sites Labor Commission, Analysis of Work Stoppages on U. S. Missile Sites June 1961-May 1962, July 1962, p. 13.

achieved during the month of May 1962 when only 5 work stoppages occurred.

Table 4 provides information concerning the duration of work stoppages at missile bases during the period June 1961 to May 1962. It is noted that most of the stoppages were of short duration. Of the 160 stoppages, 119 (74.3 per cent) lasted less than one and one-half days; also, it should be

TABLE 1

WORK STOPPAGES BY MINERS ON ATLANTIC RIVER
JUNE 1961 - MAY 1962[a]

Month	Number
June	11
July	11
August	14
September	13
October	13
November	9
December	13
January	21
February	19
March	14
April	11
May	3
Total	160

Mean = 13.3

[a]Source: D. H. Martin Nova Labor Commission, Analysis of Work Stoppages on U. S. Atlantic River Lines June 1961-May 1962, July 1962, p. 13.

achieved during the month of May 1962 when only 3 work stoppages occurred.

Table 2 provides information concerning the duration of work stoppages in Atlantic Ocean during the period June 1961 to May 1962. It is noted that most of the stoppages were of short duration. Of the 160 stoppages, 119 (74.3 per cent) lasted less than one and one-half days; also, it should be

TABLE 4

WORK DAYS LOST DURING WORK STOPPAGES
AT MISSILE SITES
JUNE 1961 - MAY 1962[a]

Work Days Lost	Number	Per Cent
.00 - .49	29	18.1
.50 - .99	44	27.5
1.0 - 1.49	46	28.7
1.5 - 1.99	4	2.5
2.0 - 2.49	9	5.6
2.5 - 2.99	8	5.0
3.0 - 3.49	9	5.6
3.5 - 3.99	2	1.3
4.0 - 4.49	2	1.3
4.5 - 4.99	0	0
5.0 + Over	7	4.4
Total	160	100.0

Mean = 1.41

[a]Source: U. S. Missile Sites Labor Commission, Analysis of Work Stoppages on U. S. Missile Bases June 1961-May 1962, July 1962, p. 15.

noted that 73 (45.6 per cent) were less than one day duration.

The Missile Sites Labor Commission has classified missile-site labor disputes under five headings: (1) Grievance; (2) Jurisdictional (Craft vs. Craft); (3) Jurisdictional (Industrial vs. Craft); (4) Union vs Non-Union; and (5) Contract Negotiations. Table 5 shows the types of disputes that occurred June 1961 through May 1962. Grievances constituted

TABLE 4

WORK DAYS LOST DURING WORK STOPPAGES
AT MINERVA MILLS
JUNE 1961 - MAY 1962*

Work Days Lost	Number	Per Cent
.00 - .49	19	14.1
.50 - .99	46	27.3
1.0 - 1.49	44	26.7
1.5 - 1.99	4	2.9
2.0 - 2.49	9	5.6
2.5 - 2.99	2	1.0
3.0 - 3.49	5	3.6
3.5 - 3.99	2	1.3
4.0 - 4.49	2	1.3
4.5 - 4.99	0	0
5.0 + Over	7	4.9
Total	160	100.0

Mean = 1.41

*Source: I. G. Minerva Mills Labor Commission,
Analysis of Work Stoppages on G. E.
Minerva Issue June 1961-May 1962,
July 1962, p. 13.

noted that 73 (45.6 per cent) were less than one day duration.

The Minerva Mills Labor Commission has classified minerva labor disputes under five headings: (1) Grievances; (2) Jurisdictional (Craft vs. Craft); (3) Jurisdictional (Industrial vs. Craft); (4) Union vs Non-Union; and (5) Contract Negotiations. Table 5 shows the types of disputes that occurred June 1961 through May 1962. Grievances constituted

TABLE 5

INCIDENCE OF WORK STOPPAGES AND MAN-DAYS LOST AT MISSILE SITES ACCORDING TO TYPE OF DISPUTE JUNE 1961 - MAY 1962[a]

Type of Dispute	Work Stoppages	Per Cent	Man-Days Lost	Per Cent
Grievance	78	48.8	5,085	32.8
Jurisdictional (Craft vs. Craft)	42	26.3	6,011	38.7
Jurisdictional (Industrial vs. Craft)	18	11.2	1,576	10.2
Union vs. Non-Union	18	11.2	2,666	17.2
Contract Negotiations	4	2.5	171	1.1
Totals	160	100.0	15,505	100.0

[a]Source: U. S. Missile Sites Labor Commission, Analysis of Work Stoppages on U. S. Missile Bases June 1961-May 1962, July 1962, p. 20.

the most numerous type of disputes, being the primary issue in 78 (48.8 per cent) of the 160 work stoppages. Grievances account for 32.8 per cent of the total man-days lost.

The combined types of jurisdictional disputes were primary issues in 37.5 per cent of the 160 work stoppages, and accounted for 48.9 per cent of the total man-days lost.

TABLE 5

INCIDENCE OF WORK STOPPAGES AND MAN-DAYS LOST AT MINERVA MILLS ACCORDING TO TYPE OF DISPUTE JUNE 1951 - MAY 1962[a]

Type of Dispute	Work Stoppages	Per Cent	Man-Days Lost	Per Cent
Grievance	78	48.8	5,055	32.8
Jurisdictional (Craft vs. Craft)	42	26.3	4,011	26.7
Jurisdictional (Industrial vs. Craft)	19	11.2	1,576	10.2
Union vs. Non-Union	18	11.2	2,668	17.2
Contract Negotiations	4	2.5	171	1.1
Totals	160	100.0	15,505	100.0

[a]Source: U. S. Mineral Labor Commission, Analysis of Work Stoppages on U. S. Mineral Bases June 1951-May 1962, July 1962, p. 29.

the most numerous type of disputes, being the primary issue in 78 (48.8 per cent) of the 160 work stoppages. Grievances account for 32.8 per cent of the total man-days lost.

The combined types of jurisdictional disputes were primary issues in 37.5 per cent of the 160 work stoppages, and accounted for 44.9 per cent of the total man-days lost.

Union vs. non-union disputes resulted mainly from efforts of unions at missile bases to organize non-union workers. This type dispute caused 11.2 per cent of the work stoppages and 17.2 per cent of the total man-days lost.

Contract negotiations constitute only a small per cent of work stoppages and man-days lost; namely 2.5 per cent and 1.1 per cent, respectively.

Factual background on the types of grievances that occurred provides a better basis for understanding the abuses that have previously been charged as occurring in the missile-site construction program. Table 6 shows the incidence of work stoppages and man-days lost during June 1961-May 1962 by the type of grievance. These figures denote improvement over the previous four year period. It is unfortunate that figures have not been available for this study in order to make a comparison of grievances before and after the establishment of the Missile Sites Commission. However, Table 6 shows that economic demands were involved in 42.4 per cent of the grievances. This includes demands for overtime, wage rate, travel pay or other pay disputes, and demands for reduced workweeks. These type grievances were responsible for 51.2 per cent of the man-days lost due to grievances.

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Contract negotiations constitute only a small per cent of work stoppages and man-days lost; namely 1.5 per cent and 1.1 per cent, respectively.

Factual background on the types of grievances that occur and provides a better basis for understanding the causes that have previously been charged as occurring in the crisis-ridden construction program. Table 6 shows the incidence of work stoppages and man-days lost during June 1951-May 1953 by the type of grievance. These figures denote improvement over the previous four year period. It is unfortunate that figures have not been available for this study in order to make a comparison of grievances before and after the establishment of the Atlantic Ridge Commission. However, Table 6 shows that economic demands were involved in 41.6 per cent of the grievances. This includes demands for overtime, wage rate, travel pay or other pay disputes, and demands for reduced workweeks. These type grievances were responsible for 51.1 per cent of the man-days lost due to grievances.

TABLE 6

INCIDENCE OF WORK STOPPAGES AND MAN-DAYS LOST
AT MISSILE SITES BY TYPE OF GRIEVANCE
JUNE 1961 - MAY 1962[a]

Type of Grievance	Work Stoppages	Per Cent	Man-Days Lost	Per Cent
Demand for Overtime	13	16.7	493	9.7
Wage Rate, Travel Pay or Other Pay Dispute	14	18.0	1,987	39.1
Reduction in Workweek	6	7.7	123	2.4
Discharge of Fellow Employee, Shop Steward or Supervisor	17	21.8	1,314	25.9
Poor Ventilation, Inadequate Heat and/or Food, Lack of Icewater, or other Working Conditions	9	11.5	380	7.5
Lack of Craft Foreman, Union Steward or Craft Worker on a Job	5	6.4	374	7.4
Demand for Better Safety	4	5.1	277	5.4
Protest of Lay-Off	3	3.8	40	.8
Resistance to Transfer	2	2.6	8	.1
Refusal to Work for and Take Orders from a Supervisor or "Too Much Supervision"	3	3.8	21	.4
Disagreement within a Craft over Work Assignments	1	1.3	24	.5
Protest not being Allowed to Conduct Union Business on Company Time	1	1.3	40	.8
Totals	78	100.0	5,081	100.0

[a]Source: U. S. Missile Sites Labor Commission, Analysis of Work Stoppages on U. S. Missile Bases June 1961-May 1962, July 1962, p. 21.

TABLE 6

DECISIONS OF WORK STOPPAGES AND MAN-DAYS LOST
IN MINERAL SITES BY TYPE OF GRIEVANCE
JANU 1981 - MAY 1982*

Type of Grievance	Work Stoppages	Pct Stoppages	Man-Days Lost	Pct Lost
General Job Problems	13	16.7	693	9.1
Wage Rate, Travel Pay or Other Pay Dispute	14	18.0	1,987	26.1
Reduction in Workweek	6	7.7	123	1.6
Discharge of Fellow Employee, Shop Steward or Supervisor	17	21.8	1,318	17.3
Poor Ventilation, Inadequate Rest and/or Food, Lack of Showers, or Other Working Conditions	9	11.5	340	4.5
Lack of Crafts Foremen, Using Steward or Crafts Worker as a Job	5	6.4	324	4.3
Demand for Proper Safety	4	5.1	277	3.6
Protest of Lay-Off	3	3.8	48	.6
Assistance to Tradesmen	2	2.6	8	.1
Refusal to Pass Up and Take Orders from a Supervisor or "Too Much Supervision"	3	3.8	32	.4
Disagreement [illegible] a Crafts over Duty Assignments	1	1.3	24	.3
Foreman not being Allowed to Conduct Daily Meetings on Company Time	1	1.3	40	.5
Totals	78	100.0	7,085	100.0

*Source: U. S. Canada Steel Labor Committee, Analysis of Work Stoppages on U. S. Canada Steel Industry

A limited amount of data reflecting current missile-site labor dispute statistics has been made available directly to the author of this study by the Missile Sites Labor Commission.[17] This data is set forth in Chart No. 2 and Chart No. 3.

Chart No. 2 is a graph of the ratio of man-days lost to man-days worked at missile based from July 1956 to June 1963. The most striking feature of this graph is the abrupt decline in the man-days lost to man-days worked ratio immediately following the establishment of the Missile Sites Labor Commission. The explanation of this graph is as follows: during the period July 1956 through May 1960, the ratio of man-days lost due to labor disputes, expressed as a percentage of the total man-days worked, totaled 1.78 per cent. From June 1960 through May 1961, man-days lost totaled .593 per cent of man-days worked. From June 1961, just after the Missile Sites Labor Commission was established, through May 1962, man-days lost were .091 per cent of man-days worked. The decreasing trend in these percentages continued during the second year of the Commission, June 1962 through May 1962, when the ratio of man-days lost expressed a percentage of the man-days worked totaled .077 per cent.

Chart No. 3 provides an analysis of missile-site labor statistics through May 1963, in comparison with data compiled

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[17]Data provided by Mr. Richard P. Chambers, Labor Relations Analyst, Missile Sites Labor Commission, as a result of a telephone interview with the author on July 11, 1963.

A limited amount of data reflecting current minimum labor disputes statistics has been made available directly to the author of this study by the Minnesota State Labor Commission.[17] This data is set forth in Chart No. 1 and Chart No. 2.

Chart No. 1 is a graph of the ratio of man-days lost to man-days worked as minimum based from July 1936 to June 1963. The most striking feature of this graph is the abrupt decline in the man-days lost to man-days worked ratio immediately following the establishment of the Minnesota State Labor Commission. The explanation of this graph is as follows: during the period July 1936 through May 1940, the ratio of man-days lost due to labor disputes, expressed as a percentage of the total man-days worked, totaled 1.78 per cent. From June 1940 through May 1941, man-days lost totaled .593 per cent of man-days worked. From June 1941, just after the Minnesota State Labor Commission was established, through May 1942, man-days lost were .091 per cent of man-days worked. The decreasing trend in these percentages continued during the second year of the Commission, June 1942 through May 1943, when the ratio of man-days lost expressed a percentage of the man-days worked totaled .017 per cent.

Chart No. 2 provides an analysis of minimum-size labor statistics through May 1963, in comparison with data compiled

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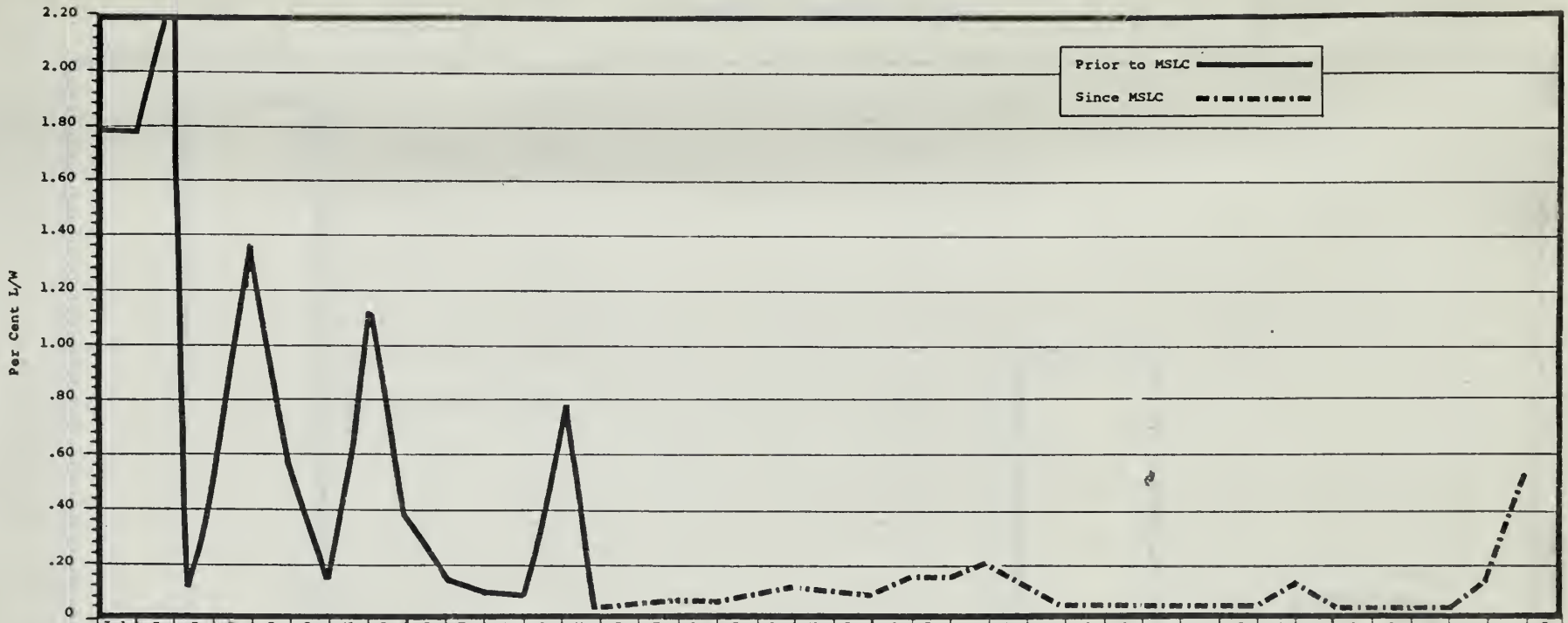
[17]Data provided by Mr. Richard P. Chambers, Labor Relations Analyst, Minnesota State Labor Commission, as a result of a telephone interview with the author on July 11, 1963.

RATIO OF MAN-DAYS LOST TO MAN-DAYS WORKED

AT MISSILE SITES - JULY 1956 TO JUNE 1963



	Jul '56 – May '60	1960												1961												1962												1963					
	1.78	.593												.091												.077																	
Per Cent L/W	1.78	5.51	.10	1.34	.63	.14	1.11	.38	.12	.08	.06	.78	.003	.02	.04	.02	.09	.10	.08	.07	.16	.16	.21	.10	.01	.05	.03	.005	.03	.04	.14	.02	.01	.01	.02	.13	.52						
M/D W (1,000's)	6,754	596	635	759	775	867	887	903	1,061	1,045	1,173	1,106	1,220	1,274	1,154	1,431	1,352	1,327	1,382	1,333	1,489	1,512	1,567	1,583	1,566	1,524	1,401	1,446	1,261	1,328	1,073	951	979	877	971	989	930						
M/D L	120,048	32,861	637	1,016	4,915	1,224	9,827	3,476	1,277	865	690	8,606	36	275	505	282	1,189	1,295	1,046	953	2,380	2,483	3,265	1,593	239	808	549	67	429	556	1,520	177	148	120	222	1,256	4,802						
Ratio W/L	56	18	1,000	75	158	709	90	296	833	1,204	1,695	129	33,333	4,545	2,272	5,000	1,136	1,020	1,315	1,408	625	610	481	990	6,666	1,886	2,515	21,000	2,939	2,388	706	5,373	6,846	7,307	4,372	788	193						

CHART NO. 2

Source: Mr. Richard P. Chambers, Labor Relations Analyst, Missile Sites Labor Commission

COMPARATIVE LOST TIME DUE TO LABOR DISPUTES -

MISSILE SITES, CONTRACT CONSTRUCTION IN THE UNITED STATES,

AND ALL INDUSTRY IN THE UNITED STATES

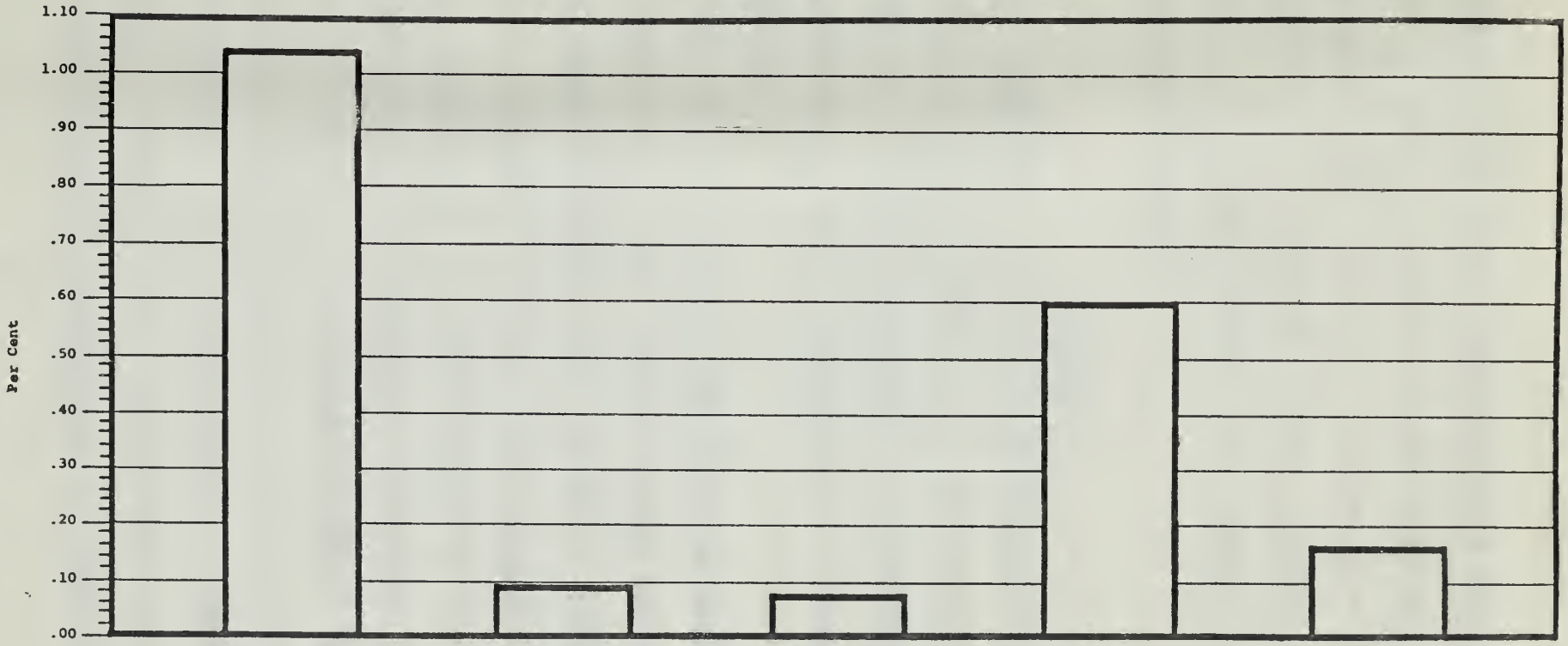


CHART NO.3

	Missile Sites Prior to MSLC (Jul 56 to Jun 61)	Missile Sites 1st Year MSLC (Jun 61 to Jun 62)	Missile Sites 2nd Year MSLC (Jun 62 to Jun 63)	Contract Construction in U. S. - 1962	All Industry in U. S. - 1962
M/D W	17,781,000	16,969,900	13,721,000	-	-
M/D L	185,478	15,505	10,653	4,160,000	19,000,000
% L/W	1.04	.091	.077	.60	.16
Ratio W/L	96 to 1	1100 to 1	1288 to 1	167 to 1	625 to 1

Source: Mr. Richard P. Chambers, Labor Relations Analyst, Missile Sites Labor Commission.

by the Missile Sites Labor Commission from Bureau of Labor Statistics sources on contract construction and all U. S. industry during 1962. There is a considerable difference in the man-days lost and man-days worked situation between the time prior to the establishment of the Missile Sites Labor Commission, and afterwards.

Summary

This chapter has focused attention on the organization and activities of the Missile Sites Labor Commission, and through a presentation of statistical data, has clarified the substantial improvement in labor relations at U. S. missile bases since May 1961.

The Missile Sites Labor Commission was established by the President of the United States through the issuance of Executive Order No. 10946 on May 26, 1961. During the four year period prior to that date, work stoppages, work slowdowns, and other problems due to labor disputes in the missile-site construction program had evidenced a potential for seriously affecting the security of the United States. The matter became of sufficient concern by the Fall of 1960 to warrant congressional investigation. Throughout the Winter of 1960-1961, investigations of missile-site labor problems were in progress by the Senate Permanent Subcommiteee on Investigations

by the Atomic Energy Commission from Bureau of Labor Statistics reports on nuclear construction and all U. S. industry during 1951. There is a considerable difference in the man-days lost and man-days worked situation between the time prior to the establishment of the Atomic Energy Commission, and afterwards.

Summary

This chapter has focused attention on the organization and activities of the Atomic Energy Labor Commission, and through a presentation of statistical data, has clarified the substantial improvement in labor relations at U. S. atomic bases since May 1951.

The Atomic Energy Labor Commission was established by the President of the United States through the issuance of Executive Order No. 10233 on May 15, 1951. During the first year period prior to that date, work stoppages, work slowdowns, and other problems due to labor disputes in the atomic-site construction program had widened a potential for seriously affecting the security of the United States. The nation became of sufficient concern by the fall of 1950 to warrant congressional investigation. Throughout the course of 1950-1951, investigations of atomic-site labor problems were in progress by the Senate Personnel Subcommittee on Investigations

of the Committee on Government Operations (descendant of the Old Labor Rackets Committee). During this time, a new Administration was being formed.

Shortly after President Kennedy took office in January, 1961, he issued Executive Order No. 10918 which established the President's Advisory Committee on Labor Management Policy. This Committee is tripartite in form; its membership is composed of Labor, Management, and public representatives under the auspices of the Federal Government--the Secretary of Labor and the Secretary of Commerce each alternately serve as Chairman of the Committee. The function of the Advisory Committee on Labor-Management Policy is to study, advise, and recommend to the President certain policies that may be followed by Labor, Management, and Government in order that industrial peace and the institution of collective bargaining may be preserved. The establishment of this Committee evidenced a concern of the Federal Government over the responsibilities and actions of unions and employers, and the far-reaching societal effects that labor-management decisions have in the American industrial economy. It is clear that these effects may include potentially serious harm to national security. This occurs when Labor and Management fail to reach accord in missile-site labor dispute matters. A single dispute, in itself,

of the conditions on government operations (descendant of the old Labor Relations Commission). Having this view, a new administration was being formed.

Shortly after President Kennedy took office in January, 1961, he issued Executive Order No. 10988 which established the President's Advisory Committee on Labor Management Policy. This Committee is responsible to him; its membership is composed of Labor, Management, and public representatives under the chairmanship of the Federal Government--the Secretary of Labor and the Secretary of Commerce much alternately serve as Chairmen of the Committee. The function of the Advisory Committee on Labor-Management Policy is to study, advise, and recommend to the President certain policies that may be followed by Labor, Management, and Government in order that industrial peace and the institution of collective bargaining may be preserved. The establishment of this Committee evidenced a concern of the Federal Government over the responsibilities and attitudes of unions and employers, and the far-reaching societal effects that Labor-Management decisions have on the American industrial economy. It is clear that these effects may include potentially serious harm to national security. This occurs when Labor and Management fail to reach accord in vital-to-the Labor dispute matters. A single dispute, in itself,

may not constitute potential harm to national security; however, the combination of many disputes may. Such combination did occur in missile-site construction activity. The Federal Government then considered its responsibility for protecting and preserving the general public interest, and as a result, the Missile Sites Labor Commission was created for the purpose of combating the menace of labor problems to national security.

It is a fact that a great deal of improvement in labor troubles at the missile bases has been achieved through the organization, adjustment methods, policies, and actions of the Missile Sites Labor Commission.

It is highly significant that this Commission has achieved such a laudatory record of improved labor relations at U. S. missile bases. When these accomplishments are considered in view of the issue surrounding Federal Government intervention as a third-party to labor disputes, it becomes enigmatic that the exploration for possible forms and further design of solutions to labor problems in other areas of the U. S. industrial economy should not result in adaptation of certain inherent features of the Missile Sites Labor Commission.

In the conclusion that follows, the usefulness of tripartite action as exemplified by labor relations experiences in the

may not constitute potential harm to national security; however, the combination of many disputes may. Such combination did occur in atomic-size construction activity. The Federal Government took cognizance of its responsibility for promoting and preserving the general public interest, and as a result, the Atomic Energy Labor Commission was created for the purpose of combating the menace of labor problems to national security.

It is a fact that a great deal of improvement in labor trouble at the atomic bases has been achieved through the organization, adjustment methods, policies, and actions of the Atomic Energy Labor Commission.

It is highly significant that this Commission has achieved such a laudatory record of improved labor relations at U. S. atomic bases. Such those accomplishments are commended in view of the cause surrounding Federal Government intervention as a third-party to labor disputes, it becomes manifestable that the exploration for possible ways and further design of solutions to labor problems in other areas of the U. S. industrial economy should not result in adoption of certain inherent features of the Atomic Energy Labor Commission.

In the conclusion that follows, the usefulness of arbitration action as specified by labor relations experiences in the

U. S. missile-site construction program will be made applicable to other industrial relations bearing directly on national security.

8. 8. eligibility construction program will be made available to other industrial relations meeting directly on national security.

CHAPTER VI

CONCLUSION

This study has examined the problem of labor disputes at U. S. missile bases in reference to the issue of Federal Government intervention as a third-party to labor disputes. Specific attention has been directed to the record of labor problems affecting national security during World War I and World War II. These wartime labor experiences demonstrate the need for direct governmental participation in labor-management relations when national security is threatened. This particular role of Government is generally acceptable to the American public and is also generally acceptable to Labor and Management. In wartime, the fact that national security depends upon the contribution of labor services to industrial production, providing materials and services for war, is readily understood by the public and by individuals from the Labor and Management areas of society. The Federal Government is expected to take definite action in settling wartime labor disputes in order to meet the clear responsibility that it bears for protecting the safety of the United States.

However, in times of peace, the role of Government in labor relations is less definite than during wartime. A lack of clear and imminent danger, or a general feeling of such on the part of the public, results in a lesser degree of participation by Government being acceptable to Labor and Management.

This study has examined the problem of labor disputes as U. S. military bases in relation to the issue of Federal Government intervention as a joint-party to labor disputes. Specific attention has been directed to the record of labor problems affecting national security during World War I and World War II. Those wartime labor experiences demonstrate the need for direct governmental participation in labor-management relations when national security is concerned. This particular role of Government is generally acceptable to the American public and is also generally acceptable to labor and management. In wartime, the last two national security dispute upon the contribution of labor services to industrial production, providing materials and services for war, is readily understood by the public and by individuals from the labor and management areas of society. The Federal Government is expected to take definite action in settling wartime labor disputes in order to meet the class responsibility that is basic for protecting the safety of the United States.

However, in times of peace, the role of Government in labor relations is less definite than during wartime. A lack of clear and imminent danger, or a general feeling of ease on the part of the public, results in a lesser degree of participation by Government being acceptable to labor and management.

Representatives of Labor and Management would stress, in peacetime, the rights of each as individual members of a free enterprise society, in arriving at decisions bearing economic import on the basis of their own self-interests. Thus, labor troubles occur when Labor and Management disagree on issues regarding their various forms of working relationships. In the industrial economy that identifies the material basis of societal relationships in the U.S. today, the respective actions of Labor and Management must reflect consideration for public interests as well as individual ones. This is so because of the effect that their decisions may have throughout the economy. For example, decisions of Management in recent years to acheive more efficient and profitable industrial production by automated processes have had to be judged in reference to the beneficial as compared to the harmful effects upon society. In some instances, automation has resulted in unemployment in the labor force; however, the benefits gained through improved technology, and the promise of technology in contributing to future public interests, outweigh the immediate effects of unemployment due to automation. This illustrates how Management decisions affect inter-related areas of society.

Representatives of labor and management would stress, in
paraphrase, the rights of each as individual members of a free
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The same is true for Labor decisions. It is an established concept of American democracy that Labor is entitled to rights and privileges in organizing unions and pursuing courses of action designed to benefit the interests of union members. However, these union practices cannot be unbridled. The public interest must take precedent as the determinable factor in these labor relations activities. Therefore, strikes and work stoppages which clearly show potentially serious effect on the security of the nation cannot be permitted to continue. For these reasons, the Congress has provided laws through which the Federal Government may intervene in the event that emergency disputes affect the health and safety of the nation. In the system of checks and balances that denotes the philosophy of American democracy, the Government must be responsible for preserving the interests of Labor and Management, but to a higher degree it is responsible for the public interests. This is especially important when national security depends upon the cooperative efforts of Labor and Management.

The cooperative efforts of Labor and Management are especially important in the U. S. missile base construction program. Missile base construction is necessary in order that operational utilization of ballistic missiles may be attained.

The same is true for labor disputes. It is an outmoded concept of American democracy that labor is entitled to rights and privileges in organizing unions and pursuing courses of action designed to benefit the interests of union members. However, these union practices cannot be unrestricted. The public interest must take precedence as the controlling factor in these labor relations activities. Therefore, strikes and work stoppages which clearly show potentially serious effect on the security of the nation cannot be permitted to continue. For these reasons, the Congress has provided laws through which the Federal Government may intervene in the event that emergency disputes affect the health and safety of the nation. In the system of checks and balances that governs the philosophy of American democracy, the Government must be responsible for preserving the interests of labor and management, but to a higher degree it is responsible for the public interests. This is especially important when national security depends upon the cooperative efforts of labor and management.

The cooperative efforts of labor and management are especially important in the U. S. atomic base construction program. Atomic base construction is necessary in order that operational utilization of ballistic missiles may be attained.

When this capability is achieved, American society benefits from the protection afforded by the missiles as strategic and tactical weapons of war. Without these weapons, national security would be impaired. Without the cooperation of Labor and Management in missile-site construction, missiles cannot be utilized. This signifies the responsibility that Labor and Management bear together in attending to the general public welfare in their missile-site labor relations.

The issue regarding Federal Government intervention as a third-party to labor disputes is largely one of disagreement among parties to disputes as to the form that Government participation should take, and the degree to which governmental action should be applied.

The record of labor disputes at U. S. missile bases, when viewed with respect to the governmental actions by which the effects of these disputes have been dissipated, illustrates the vital necessity of extensive tripartite action.

The Missile Sites Labor Commission is an example of how the dilemma of public versus private interests in labor controversies can be satisfactorily ameliorated through tripartite adjudication. This Commission is relatively new, having served in the public interest for only twenty seven months at the time of this writing. It is concluded, on the basis of the

When this responsibility is achieved, American society benefits from the protection afforded by the utilities as strategic and essential weapons of war. Without these weapons, national security would be imperiled. Without the cooperation of labor and management in mutually-wise consultation, utilities cannot be utilized. This clarifies the responsibility that labor and management must together in actuality, to the general public welfare in their mutually-wise labor relations.

The issue regarding Federal Government intervention as a third-party in labor disputes is largely one of disagreement among parties to disputes as to the time that government participation should take, and the degree to which governmental action should be applied.

The record of labor disputes at U. S. Steelite Works, when viewed with respect to the governmental activity by which the effects of these disputes have been minimized, illustrates the vital necessity of extensive tripartite action.

The Steelite Size Labor Commission is an example of how the dilemma of public versus private interests in large controversies can be satisfactorily ameliorated through tripartite adjudication. This Commission is relatively new, having arrived in the public interest for only twenty years months at the time of this writing. It is concluded, on the basis of the

analysis contained in this study, that this type of tripartite action evidences the form and degree of Government intervention that should be applied in other areas of industrial relations when labor disputes threaten the national security.

analysis contained in this study, that this type of religious action evidences the form and degree of bureaucratic interpretation that should be applied in other areas of industrial relations when labor disputes threaten the national security.

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